FINANCIAL HANDBOOK NO. 2

THE HIMACHAL PRADESH FINANCIAL RULES, 1971

VOLUME - I

Third Edition
1998

S. K. Duggal

Minerva Book House
46, The Mall, Shimla-171 001

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THE HIMACHAL PRADESH FINANCIAL RULES, 1971

VOLUME - I

with

H.P. Civil Services (Revised Pay) Rules, 1998

Third Edition

1998

(Corrected upto 28th February, 1998)

S. K. Duggal
Joint Controller,
Finance & Accounts (Retd.)
H.P. Government

Minerva Book House
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Preface

The first and second editions of my compilation of these Rules were published in 1986 and 1990 respectively. In this third edition, an endeavour has been made to include the various amendments issued by H.P. Government since then.

Orders/instructions issued by H.P. Government from time to time have been reproduced in this compilation as 'H.P. Govt. Orders' below the relevant rules. To facilitate consultation, suitable detailed headings in bold print have been given to them. Moreover, a list of these 'Orders' has also been given separately at the end of the Table of Contents, with their description and indication of the rules below which they appear. The number of orders/instructions included in this edition can be gauged from the fact that this list itself consists of 19 pages.

I am thankful to the Finance Department of H.P. Government for the facilities extended to me to prepare and keep this compilation up-to-date.

Comments and suggestions for improvement of this compilation and for rectification of omissions and errors would be most welcome.

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No. 1-9/71-Fin (R&E)
Government of Himachal Pradesh
Finance (Regulation) Department

From

The Financial Commissioner-cum-
Secretary (Finance) to the Govt. of H.P.

To

M/s. Minerva Book House,
46, The Mall, Shimla - 171 001.

Dated Shimla - 171 002 the 19th February, 1987

Subject: **Publication of revised edition of H.P. Financial Rules Volume I – Hand Book No. 2 by Shri S. K. Duggal – Permission to use it as Text book in different examinations.**

Sir,

I am directed to refer to your letter dated 29th April, 1986 and to say that it has been decided to permit the use of revised edition of H.P. Financial Rules Volume-I – Handbook No. 2, as brought out by Shri S. K. Duggal, as a book of reference in the examination hall in respect of all the departmental examinations conducted by H.P. Institute of Public Administration/other Departments in the State.

2. The candidates will be required to provide themselves with copy of the above book at their own cost and they may use the above compilation at their own risk regarding the accuracy, completeness or up-to-dateness of the same.

Yours faithfully,

Sd/-
***for* Financial Commissioner-**
cum-Secretary (Finance) to
H.P. Govt.

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4. Routing of clarificatory queries to Finance Department
5. Submission of sanction cases to Finance Department
6. Points to be kept in view whole sending cases to Finance Department for advice/clarification/opinion/concurrence
7. Submission of cases for concurrence of Finance Department – Check-list of shortcomings generally noticed
8. Manner in which rules, regulations, practices or interpretations should be applied.

Below Rule 1.20

1. Correct nomenclature is "Disbursing Officer" and not "Drawing and Disbursing Officer"
2. Powers to declare a Government servant as Disbursing Officer may be exercised by Administrative Departments without consulting Finance Department
3. Deputy Commissioners may declare Disbursing Officers for work relating to Tribal Development plan
4. Points to be kept in view while declaring Disbursing Officers
5. An officer appointed to perform current duties of an appointment can exercise administrative and financial powers vested in full-fledged incumbent of the post but he cannot exercise statutory powers including those contained in the Delegation of Financial Powers Rules
6. The power of signing bills for drawal of funds from treasury and disbursing the same is, however, not a statutory power
7. A gazetted officer authorised by Head of Office to sign bills/vouchers/orders for him cannot, however, exercise powers vested in Head of Office/Disbursing Officer - Authorisation to sign remains effective till it is withdrawn or altered
8. Drawing Officer of a newly created office cannot make withdrawals without being placed in account with the treasury by the Accountant-General
9. A drawing officer making over charge of his office to another to send a specimen of relieving Government servant's signature to Treasury Officer/Bank

Below Rule 1.26

1. Head of Department cannot declare as Head of Office a gazetted officer of another department attached to his department for certain purposes but drawing his pay from his parent department

2. Single line administration in Dodra Kwar area - S.D.O. (Civil) to exercise powers of Head of Office/Institution in the area both in administrative and financial matters

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3. Single line administration in tribal areas

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1. Settlement of audit objections - Procedure regarding maintenance of treasury challans and their accountal

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2. Acknowledgements of Permanent Advances to be sent to the next higher authority above the sanctioning authority as well as to the Finance Department instead of Accountant General

Below Rule 2.10

1. Circumstances in which a Government servant should not in his official capacity, deal with a matter or give or sanction a contract
2. Government servant who is office-bearer or member of Executive Committee of Service Association not to deal in his official capacity, with matters connected with that Association
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13. Drawal of funds when not required for immediate disbursement and keeping the same in cash chest amounts to temporary embezzlement and invites disciplinary action and entry in A.C.R.

Below Rule 2.18

1. Superscription such as 'duplicate' etc. not to be written on the fresh cheque issued in lieu of a cheque alleged to have been lost

Below Rule 2.22

1. Payee's stamped receipt to be obtained separately
2. Not necessary to insist upon payee's receipt where payment is made through crossed cheque and is certified by disbursing officer to have been made so
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7. Cash memoranda not regarded as sub-vouchers in Audit unless they contain an acknowledgement of receipt of money from the person named therein, with stamp affixed when the amount exceeds Rs. 500/-. (Rupees five hundred)
8. Cash memoranda in support of claims for reimbursement of cost of medicines need not be stamped or bear supplier's acknowledgement.
9. Revenue stamp is now leviable only where the amount exceeds Rs. 500 - Rate of revenue stamp is also now Re. 1/-
10. Receipt to be stamped or not stamped depending upon the net amount payable.
11. Receipt for subsequent payment of an amount exceeding Rs. 500/- retrenched from bill and recovered requires a receipt stamp but the sum disallowed before payment can be paid later on without stamping
12. Stamping of receipts for payments made outside India
13. Thumb impression not to be confined to revenue stamp alone but a part of it should fall outside the revenue stamp

Below Rule 2.25

1. It is the date of pay fixation orders of competent authority which is relevant to Rule 2.25
2. Reckoning the date in case of increment of pay
3. Reckoning the date in case of O.T.A. claims
4. Date on which T.A. claims should be considered as falling due
5. Reckoning the date in the case of a journey to attend an obligatory examination where admissibility or otherwise of T.A. is conditional and can be determined after the examination is declared
6. Reckoning the date in case of T.A. claims of retired Government servant for appearing in court of law for defending himself
7. T.A. claims of non-official members of departmental committees to be deemed to have been relinquished, if not preferred within one year of their becoming due

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8. Forfeiture of L.T.C. claim
9. Provisions of Rule 2.25 not applicable to arrear claims of employees whose names are omitted from pay bills which are prepared by number according to different rates of pay/designations
10. Appointing authority can sanction investigation of arrear claims except in case of (I) petty claims more than three years old and (ii) claims, other than petty claims, more than six years old, both of which require Government sanction
11. Information and documents required to be furnished by disbursing officer to Audit and Accounts Office with the arrear claims/bills requiring pre-audit
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Below Rule 2.31

1. Mode of drawal and classification in account of amount redrawn owing to loss through misappropriation, defalcation, embezzlement, etc.

Below Rule 2.36

1. Procedure for special audit in case of suspected misappropriation etc.
2. Writing off of losses exceeding Rs. 25,000/- due to misappropriation/defalcation - Constitution of committee

Below Rule 2.37

1. Inter-Departmental/Governmental adjustments - Scope of recommendation in paragraph 13.7 of the Second Report of the Team relating to
2. Inter-Governmental transactions - Settlement on account of supplies made or services rendered to be made in cash (i.e. by cheque/draft) except in case of purchases made through D.G.S.& D.
3. Purchases made by State Governments through D.G.S. & D - Chief Pay and Accounts Officer, Department of Supply, Government of India to make payment and to adjust the debit against the balances of the State Government concerned through the Central Accounts Section of the Reserve Bank of India
4. Arrangements for payments of loans, and grants (including States' share of Income tax, Union Excise Duty etc.) by Central Government to State Governments and for repayment of loans and interest thereon by State Governments to Central Government
5. Procedure for payments by Indian Missions/Posts abroad (other than High Commission of India, London and Embassy of India, Washington) on behalf of other Ministries/Departments/State Governments/ Public Sector Undertakings/ Statutory Bodies under the Departmentalised Accounting arrangements
6. Procedure for payments by the High Commission of India, London and Embassy of India, Washington, on behalf of other Ministries/ Departments/State Governments/Statutory Bodies/Public Sector Undertakings etc. under the Departmentalised Accounting arrangements

Below Rule 2.50

1. Rounding off of Government transactions to the nearest rupee w.e.f. 1st April, 1987
2. Civil Court Deposits/Pay/ments not to be rounded off to the nearest rupee
3. Accounting procedure relating to rounding off cash transactions appearing in Petty Cash Book

Annexure to Chapter - II

1. Government vehicles - Report to Audit Office of loss suffered due to accident

Below Rule 3.25

1. Introduction of Letter of Credit Scheme to regulate the spending by the P.W.D.

Below Rule 3.63

1. Reconciliation of Government Cash Balance as appearing in Government Accounts *vis-a-vis* the Bank Books

Below Rule 4.6

1. सरकारी वसूलियों बारे प्रक्रिया
2. No indication to be given to assessees/mortgagors/lessors/sellers etc. that re-assessment or additional demand etc. has been necessitated by audit objection

Below Rule 5.1

1. Procedure for payment of arrears of pay, allowances, etc. of Government servant transferred from one Division/Office/Department to another and in respect of whom a last pay certificate has been issued
2. Procedure for grant of leave/extension of leave and disbursement of leave salary to Government servant transferred from one Department to another or from one office to another in the same Department, while he is already on leave or in transit.
3. Pay of employee to be drawn only from the station/institution/office where he is actually posted/working
4. Incumbents/employees not to be shifted to or deployed in stations/offices, where no post is sanctioned or exists
5. Procedure for drawal of pay and allowances of gazetted officers holding temporary posts in case of delay in the issue of sanction for the continuation of post

Below Rule 5.5

1. Bond for drawing leave salary pension, etc. executed by Punjab National Bank and State Bank of Patiala

Below Rule 5.6

1. Last Pay Certificate - Provisions of H.P. Treasury Rules
2. When the head of an office is himself a non-gazetted Government servant he should not sign his own L.P.C.
3. Provisional payment of salary pending receipt of L.P.C.

4. Procedure for payment of arrears of pay, allowances, etc. of Government servant transferred from one Division/Office/Department to another and in respect of whom a last pay certificate has been issued
5. Payment of T.A. to retired employee for journey of self and family and transportation of personal effects from last station of duty to home town to be made without asking him to surrender L.P.C.
6. Last payment of salary to Government servant finally quitting service or placed under suspension or who is about to retire or to proceed on leave out of India or to a contract officer or a temporary employee proceeding on foreign service in or out of India - Procedure regarding

Below Rule 5.7

1. Policy of Government in regard to overpayments made to Government servants
2. Payment of recurring nature, considered inadmissible by audit not to be normally continued till a final decision is obtained from the competent authority
3. Rate of recovery of overpayments from Government servants (other than those under suspension)
4. Rate of recovery of overpayments from Government servants under suspension
5. Insertion of condition where the amount due is written off merely because the person is no longer in service
6. Treasury Officers not to pass any pay bill which does not contain certificate of recovery of rent
7. Over-time allowance is part of salary and as such is liable to income tax
8. Honorarium is not exempt from income tax - The head of office paying honorarium to inform the disbursing officer from whom the payee normally draws his regular monthly salary about payment of honorarium with a copy endorsed to be Income Tax Department
9. Leave Travel Concession - Extent of exemption from income tax
10. House Rent Allowance - Extent of exemption of income tax

Annexure to Chapter V

1. Payment of Arrears of Pension (Nomination) Rules, 1983
2. No nomination facility for family pension

Below Rule 6.1

1. Drawal and disbursement of pay and allowances etc. of gazetted Government servants by Heads of Offices and maintenance of their service records
2. Drawal of pay and allowances of officers and staff of P.W.D. (except in case of Headquarters and Circle Offices) by cheques

Below Rule 6.3

1. Shortcomings in charge reports
2. Charge Reports - Indication of name of Tehsil and District in which the place of posting falls
3. Transfer of charge of Government vehicles

4. A drawing officer making over charge of his office to another to send a specimen of relieving Government servant's signature to Treasury Officer/Bank
5. Instructions to be followed where assumption of charge involves responsibility for cash, stores, etc.
6. In the case of any sudden casualty occurring or an emergent necessity arising for a Government servant to quit his charge, the next senior Government servant of the department present to take charge
7. Every departmental officer bound to take over charge of departmental stores which from the death or departure of the person lately in charge or from any other cause may be left at or near his station without adequate protection

Below Rule 7.1

1. Proof of age and educational qualifications
2. Correction in date of birth - Applications submitted within two years from date of entry into service to be examined and decided promptly and those made after two years to be rejected forthwith
3. Application for change in date of birth must be filed by Government servant within two years from date of entry into service - Judgement of H.P. Administrative Tribunal

3-A. Petitions relating to personnel matters filed in Courts, Administrative Tribunals, etc. - Handling of

Below Rule 7.8

1. Pay and allowances of gazetted officers to be drawn in non-gazetted bill forms - A single pay bill to be prepared in two parts (permanent and temporary) for each category of gazetted posts
2. Pay bills of non-gazetted establishment – A single bill to be prepared in three parts
3. Names in pay bills in each section of pay bill to be arranged in ascending order of Provident Fund account numbers to facilitate preparation of Provident Fund Schedules in the same order of account numbers
4. Maintenance of Salary Register in lieu of office copies of pay bills etc.

Below Rule 7.11

1. Maintenance of Register of payments of gazetted officer's entitlements

Below Rule 7.16

1. Cost of service book to be borne by Government and service book not to be returned to Government servant on his quitting service
2. Revision of form of Service Book

2-A. Revised form of service book - Government to bear cost of photograph

3. Further revision of form of Service Book
4. Heads of offices may delegate to subordinate Gazetted Officers powers to attest entries in service books
5. Maintenance of service books of gazetted Government servants

5-A. Need for proper maintenance of service books to eliminate delay in payment of pensionary benefits
6. Discontinuance of practice of recovery of leave and pension contribution in respect of employees who are sent to public sector undertakings/autonomous bodies/ cooperative institutions on deputation - Verification of foreign service by A.G., H.P. not required in such cases
7. Every Head of Office duty bound to show service books to Government servants every year and to obtain their signature therein in token of their having inspected the service books - Head of Office to also send such a certificate to this effect to his next superior officer by the end of September
8. Service books of employees to be got audited at least 5 years prior to the date of their retirement
9. Supply of certified copy of service book to Government servants on their quitting service
10. Destruction of records of Directorates as a result of fire in Kennedy House, Shimla - Reconstruction of service books
11. Abolition of castes and sub-castes in matters connected with the State and its services
12. Procedure to be followed in according recognition to a *bonafide* change of name by Government servants
13. Service Books to be despatched by registered post acknowledgement due and not by ordinary post

Below Rule 8.4

1. Assessment of rent of private buildings hired by Government
2. Hiring of accommodation for housing Government offices - Scale of space for different categories of Government servants
3. Hiring of trucks/godowns of Cooperative Societies
4. Fixation of scale of fixtures and furniture in Government offices
5. State luncheon/dinners, working lunch/dinner and refreshment in meetings
6. Refreshment for Secretariat officials required to sit late or to work on holidays during Vidhan Sabha Session
7. Scale of steam coal, firewood, charcoal etc. for heating purposes in Government offices during winter
7-A. Fuel wood, charcoal and timber to be purchased from H.P. State Forest Corporation
8. To lighten the stoves/angithies and to perform the allied work relating to this job forms part of duties of sweeper
9. No coloured telephones
10. No cellular (mobile) phones or pagers to be purchased and no ISD to be allowed on Government telephones
11. Limit of local calls from residential telephones
12. Telephone calls/trunk calls by State Guests - Instructions regarding
13. Telephone Register for trunk calls

14. Legal expenses including pleader's fee in lower courts to be sanctioned and borne by the Department to which the case pertains and those in respect of cases in High Court and Supreme Court to be met by the Advocate General and Law Department respectively
15. Defending of contempt petitions
16. Government servants involved in legal proceedings - Provision for legal and financial assistance
17. Claims for reimbursement of costs incurred in defending legal proceedings - Proforma for making reference to the H.P. Public Service Commission under Article 320 (3) (d) of the Constitution
18. Claims for reimbursement of costs incurred in defending legal proceedings - Scale of lawyer's fee
19. All correspondence with the High Court to be addressed to its Registrar.
20. Norms for fixation of emoluments of employees appointed as whole-time contingent paid against Class IV posts
21. In offices having only one sweeper, part-time arrangements may be made when the sweeper is on casual/quarantine leave
22. Articles required for one time use not to be purchased but to be borrowed from other Departments/Undertakings or hired from market
23. Carriage and delivery of dak within and outside the office forms part of duties of peon but the maximum weight to be carried outside the office not to exceed 10 Kg.
24. Incurring expenditure on obsequies or transportation of body of deceased Government employee
25. Advance payment to suppliers of stores
26. Purchase of Computer Systems
27. Compensation award against State Government in criminal/civil cases - Periodical review thereof
28. Settlement of claims of compensation under "No Fault Liability" to the victims/dependants of persons involved in motor vehicle accidents - State Government vehicles
29. No plying of vehicles on Mondays, no meetings on Mondays and no touring on Mondays

Below Rule 8.14

1. Revised limit for submission of contingent sub-vouchers to Audit and Accounts Office
2. Payee's receipt to be obtained separately and not on the bill/sub-voucher itself - Moreover, payee's receipt to be retained by Disbursing Officer

Below Rule 8.16

1. Payment of grants-in-aid to be made at the treasury without any authorisation from Accountant General
2. Rules are not rigid about the period for utilisation of grant-in-aid - It is for the sanctioning authority to specify the time limit for utilisation

3. Bill for grants-in-aid to be prepared and submitted by grantee - Register of Grants to be maintained by countersigning authority
4. Execution of bond by certain types of grantees - Conditions regarding permanent and semi-permanent assets acquired out of grant and maintenance by grantee of register of such assets - Principles/conditions for sanctioning building grants
5. Interpretation of the expression "reasonable time" for utilisation of grant-in-aid and instructions regarding release of instalments of grant-in-aid to small institutions
6. Form in which grantee organisations are to furnish audited statement of accounts and instructions regarding devising of a machinery by departments to keep constant and effective check to see that money is utilised properly and applied to the purpose intended
7. Voluntary organisation receiving any concession in kind from Government to show the value of such concession in its consolidated accounts
8. Grant-in-aid to private institutions where it involves a one time payment to be paid before the end of December
9. Instructions regarding abolition of castes and sub-castes in matters connected with the State and its services also applicable to bodies receiving grants-in-aid from Government
10. Reservation of vacancies for Scheduled Castes/Scheduled Tribes in services and posts including voluntary agencies receiving grants-in-aid from Government
11. Form of utilisation certificate in respect of grant-in-aid where conditions are attached for its utilisation
12. Timely submission of utilisation certificates of grant-in-aid to Audit Office
13. Procedure for entrustment of audit of accounts of autonomous bodies or authorities to the Comptroller and Auditor General of India

Below Rule 8.20

1. Service Postage Stamps to be purchased from Post Offices instead of treasuries

Below Rule 8.22

1. System of cash settlement in place of system of book adjustment

Below Rule 10.12

1. Leavying of guarantee fee by the State Government
2. Accounting procedure when guarantees given by Government are invoked
3. Proforma for maintenance of account of petty loans and advances to Government servants and agriculturists, etc.
4. Rubber stamps indicating complete Loans Heads of Accounts to be prepared and affixed on bills/challans while drawing/depositing money from/into treasuries.

5. to 16 Rates of interest on loans from time to time

17. Rate of penal interest

Below Rule 10.13

1. House Building Advances to temporary Government employees
2. House Building Advances to ex-servicemen re-employed in temporary posts.
3. Where both husband and wife are in Government service, HBA admissible to only one of them
4. H.B.A admissible for construction of one house only

Below Rule 10.15

6. Interest on loans/advances recoverable in whole rupees

Below Rule 10.16

1. Revised entitlements of H.B.A.
2. Cost ceiling of house does not include cost of land
3. H.B.A. - Number of instalments for recovery of principal and interest
4. H.B.A. admissible also for registration with Government controlled Housing Agencies for allotment of flats/plots - Recovery in such a case to be made as if it were an advance for purchase of plot
5. New time-limit for commencement of recovery of H.B.A. for (1) construction of house (2) purchase of house/apartment on hire-purchase basis from Government controlled agencies, Housing Cooperatives etc. and (3) repairs or renovation of existing house
6. Recovery of instalments to be effected regularly and strictly in accordance with terms and conditions - Disciplinary action against officers who fail to do so
7. House Building Advances and Advances for Conveyances - Recovery of principal and interest to be classified under Major Heads " 7610 - Loans to Government servant" and "0049 - Interest Receipts" respectively - Recovery schedules also to be prepared separately for principal and interest
8. Repayment of loans and advances during the period of foreign service out of India
9. Procedure for adjustment of excess recovery of principal amount towards recovery of interest
10. Acceptance of balances under long term advances
11. Head of Office to issue, after every five years, a certificate showing recoveries made and balance outstanding against loanee employee
12. Recovery from D.C.R.G.
13. Recovery of balance amount of H.B.A. from employees seeking voluntary retirement
14. Cases for release of instalments to be processed with promptitude
15. Mortgage Deed duly registered must be obtained from the employee before drawal of first instalment of H.B.A. from treasury
16. Supplementary Mortgage Deed in H.P.F.R. Form 14-A to be executed for advances subsequently sanctioned/enhanced
17. Raising of loan by H.P. Government from H.D.FC. for H.B.A. to H.P. employees - Loanee employees to give undertaking that they understand that mortgage of their property is held jointly by the State Government and H.D.F.C. Ltd.

18. H.B.A. mortgage instruments executed by employees of H.P. Government Public Sector Undertakings and Autonomous Bodies - Exemption from stamp duty and registration fee
18-A. House Building Advance - Revenue papers and other documents (including Mortgage Deed) to be examined minutely
18-B. House Building Advance admissible for construction of one house only
19. Conditions for grant of permission to sell plot or house constructed/ purchased with H.B.A.

20. Utilisation of advance for a purpose other than that for which it was sanctioned renders an employee liable to disciplinary action apart from being called upon to refund forthwith the entire advance with interest - Construction of house at a site other than that for which H.B.A. was sanctioned or diversion of H.B.A. from construction of house to purchase of built-up house is mis-utilisation of advance

Below Rule 10.17

3. H.B.A. admissible also for registration with Government controlled Housing Agencies for allotment of flats/plots - Recovery in such a case to be made as if it were an advance for purchase of plot
4. H.B.A. admissible for purchase of built-up flats/houses from Government controlled Housing Agencies on hire-purchase basis
5. New time-limit for commencement of recovery of H.B.A. for purchase of house/apartment on hire-purchase basis from Government controlled agencies, Housing Cooperatives, etc. etc.

Below Rule 10.19

1. Revised entitlements of H.B.A. for repairs and/or enlargement of existing house
2. No. of instalments for recovery of H.B.A. for repair/enlargement of existing living house
3. New time-limit for commencement of recovery of H.B.A. for repairs or renovation of existing house
4. Supplementary Mortgage Deed for H.B.A. for repair of house previously constructed/purchased with H.B.A. from Government
5. Advance for purchase of house and immediate repairs to be dealt with under Rule 10.17 - Separate application for repair to be dealt with under Rule 10.19 - The condition that at least five years must have elapsed since the drawal of final payment of previous advance for construction/purchase of house can be released by competent authority

Below Rule 10.20

1. Setting apart of H.B.A. funds for various categories
2. Setting apart of H.B.A. funds for employees working in difficult areas
3. Diversion of H.B.A. funds from one category to another

4. Funds for H.B.A. to be earmarked by Finance Department - Priority to be determined from the date when application/case, complete in all respects, is received in Finance Department
5. Application form for House Building Advance
6. Application for H.B.A. to be submitted directly to the Head of Department
7. Raising of loan by H.P. Government from H.D.F.C. for H.B.A. to H.P. employees - Furnishing of additional information with the H.B.A. cases
8. Documents which should accompany H.B.A. applications.
9. Copy of permission under Conduct Rules for construction/purchase of house or for purchase of plot or for addition to existing building to be also attached to H.B.A. application
10. Certain categories of employees debarred from purchasing land/building/immovable property within jurisdiction of their posting

Below Rule 10.21

1. Revised rates of advance for purchase of Motor Car, Motor Cycle/ Scooter, Moped and Bicycle
2. Advance for registration/booking of Maruti car and its recovery
3. House Building Advances and Advances for Conveyances - Recovery of principal and interest to be classified under Major Heads " 7610 - Loans to Government servants" and "0049 - Interest Receipts" respectively - Recovery schedules also to be prepared separately for principal and interest
4. Recovery from D.C.R.G.
5. Conveyance advance - Furnishing of various documents - Disciplinary action against and recovery of entire amount of advance (with penal interest) in lump sum from defaulters
6. Funds for Conveyance Advances to be earmarked by Finance Department - Priority to be determined from the date when application/ case complete in all respects, is received in Finance Department
7. No specific proforma prescribed for application
8. Applications of employees whose duties are not of executive nature or who are temporary or who are drawing less than Rs. 1200/- as pay inclusive of special pay\ and N.P.A.
9. Shortcomings in Conveyance Advances applications/cases
10. Applications to indicate conveyance advance(s) previously availed of by employee and his/her spouse
11. Maruti cars/other Maruti vehicles purchased with conveyance advance not to be alienated/sold for one year as Maruti loans are advanced on priority
12. Two sets of sanctions required for sale of car purchased with advance from Government
13. Transactions between two Government servants not exempt from operation of Rule 18 of Conduct Rules

Below Rule 10.25

1. Festival Advance - Classification and reconciliation

2. Employees drawing basic pay not exceeding Rs. 1760 P.M. entitled to Festival Advance
3. Raising of amount of Festival Advance to Rs. 600/-

Below Rule 10.26 (a)

1. Pay and allowances paid before they are due, to be debited to the same head as and when paid after they are due - Advances of pay and T.A. on transfer also to be debited to final head of account and debit to be borne by the department/Government which makes the advances and not to be passed on to the borrowing department/Government
2. Advance of pay not admissible in case of temporary transfer
3. Advance of pay or T.A. not admissible in mutual transfer cases
4. No T.T.A. in case of transfer at own request
5. T.T.A. Advance to be paid to transferred employee within three-four days of receipt of transfer orders
6. Transport of retiring Government servant family and personal effects from last station of duty to home town - T.A. advance not admissible for such journey performed after retirement
7. T.A. Advance for transport of families and personal effects of Government servants who die while in service
8. Register for watching adjustment/recovery of T.A. advances

Below Rule 10.26 (b)

1. Advance of pay and allowances to employees under orders of transfer to/ working in Pangi Sub Division of Chamba District
2. Employees posted in certain localities of remote areas entitled to four months' pay and allowances in advance
3. Advance of pay to the teachers posted in Summer Closing Schools
4. Advance of pay to the teachers posted in Winter Closing Schools

Below Rule 10.26 (d)

1. T.A. advance to Government servant under suspension for attending enquiry in connection with his suspension
2. T.A. advance for journeys undertaken by Government servants and members of their families to obtain medical attendance and treatment
3. T.A. advance not admissible to a retired Government servant for attending departmental enquiry instituted against him
4. T.A. advance not admissible to retired Government servant who is summoned by Court of Law for giving evidence in departmental cases or who is called upon by Government to present its case or to act as complainant on its behalf
5. Maintenance of register for watching adjustment/recovery of T.A. advances

Below Rule 10.26 (f)

1. Classification of advances for law suits.

Below Rule 10.26 (i)

1. Advance for purchase of warm clothing to the employees of H.P.
2. Grant of advance in connection with natural calamities

Below Rule 10.27

1. Refund of erroneous or excess recoveries of advances
2. Adjustment of excess recovery of principal towards recovery of interest

Below Rule 10.28

1. *Ex-gratia* grant and other facilities for families of employees who die while in service - Waiving of the recovery of House Building Advance

Annexure at the end of Chapter X

1. Method and example of calculation of interest on loans and advances taken by Government employees

2. to 8. Rates of interest on H.B.A. from time to time

9. Concessional rate of interest on house building advances for promoting small family norm

10 to 17 Rates of interest on Conveyance Advances from time to time

18 to 20 Rates of interest on Warm Clothing Advance from time to time

22. Rate of penal interest

23. Proforma for maintenance of account of petty loans and advances to Government servants and agriculturists. etc.

Below Rule 12.1

1. Simplification of procedure for repayment of lapsed deposits

Below Rule 12.13

1. Rounding off of all Government transactions involving fractions of a rupee to the nearest rupee - Decision not applicable to Civil Court Deposits/Payments

Below Rule 14.6

1. Printed/cyclostyled G.P.F. schedules, with G.P.F. Account No. etc. duly printed/cyclostyled therein to be used
2. Separate G.P.F. schedules to be prepared in respect of subscribers having different departmental prefixes - Names of subscribers in G.P.F. schedules to be also written in ascending order of account numbers
3. G.P.F. Schedules - Check list for Drawing Officers
4. G.P.F. Schedules - Check list for Treasury Officers

5. Defects in G.P.F. Schedules
6. Authorisation from A.G. not required for non-refundable advances from G.P.F.
7. Separate bill to be prepared where the amount of withdrawal/ advance from G.P.F. in any individual case is Rs. 10,000/- or more
8. G.P.F. advances (temporary/non-refundable) and other similar claims of gazetted officers on foreign service to be drawn and disbursed by Heads of Offices

Below Rule 15.22

1. Periodical checks and inspections of stores and offices
2. Submission of Store Account to Audit Office
3. Old and worthless vehicles, machinery and stores to be condemned and disposed of without delay
4. Government servants not to bid at auctions arranged by their own Departments
5. Constitution of Condemnation Board for condemnation/disposal of stores (whose book value exceeds Rs. 10,000/-) in respect of offices at State Headquarters
6. Constitution of District level Board for condemnation/disposal of stores whose book value exceeds Rs. 10,000/-
7. The term "stores" includes vehicles - Constitution of separate Board for condemnation of departmental vehicles not considered necessary
8. Delegation of powers for disposal by public auction of vehicles/ machinery/stores condemned by the Condemnation Board
9. Sanction for write off under Rule 19.16 required only where stores are missing (as in case of fire, theft etc.) - Where stores are bodily present order under Rule 19.15 declaring them as unserviceable, obsolete or surplus and directing the mode of their disposal (after obtaining the orders of Condemnation Board where the book value exceeds Rs. 10,000/-) would suffice - Procedure for disposal of unserviceable, obsolete or surplus stores

Below Rule 16.7

1. Classification of works as Major Works and Minor Works debitable to Capital and Revenue respectively
1-A. Waiving of departmental charges on works under certain schemes
2. Adoption of low cost designs and innovations to curtail cost of construction of Government buildings
3. Environmental clearance and in case of diversion of forest laud, clearance under Forest Conservation Act
4. Approval of construction plans from Town and Country Planning Department
5. Mandatory installation of Solar Water Heating System in all functional Government/Corporation buildings
6. Purchase of Computer Systems - Execution of civil and electrical works on deposit work basis
7. Transfer of Government land - Execution of lease deeds
8. Security clearance/verification of antecedents of workers from outside the State of Himachal Pradesh

Below Rule 17.7

1. Prevention of mis-classification of expenditure in Government Accounts

Annexure to Chapter XVII

1. Purposes for which advances from Contingency Fund of the State are asked for and sanctioned
2. Definition of 'New Service'
3. Any sum required to satisfy any judgement, decree or award of any court or arbitral tribunal is "Charged Expenditure" and not "Voted Expenditure"
4. Application form for advance from Contingency Fund of H.P.
5. Advances from Contingency Fund - Classification in accounts
6. Advance from Contingency Fund is not an automatic additionality to budget - Department concerned to normally offer an equivalent surrender while moving proposal for Supplementary Demand for Grant for recoupment of advance
7. Provision to be made in next year's budget for the amount to be recouped to the Contingency Fund in respect of the expenditure for which supplementary funds were not provided during the course of the year

Below Rule 18.1

1. No post to be created without concurrence of Council of Ministers
2. Creation of posts of Drivers
3. Part-time posts and posts on daily wages not to be created without concurrence of Finance Department

Below Rule 18.4

1. Policy of Government in regard to over-payments made to Government servants
2. Insertion of condition where amount due is written off because the person is no longer in service
3. Revision of pay scales from 1.1.1978 - Waiving of recoveries of over-payments on account of wrong fixation on revision of pay scale and wrong fixation on account of stepping up after grant of Selection Grade

Below Rule 18.5

1. Drafting of communications - Sums of money to be indicated in both figures and words
2. Drafting of communications - All orders of the Government to be made and instruments executed in the name of the Governor
3. Sanctions to be self-contained and inclusive of a reference to the powers under which they are accorded
4. Sanctions to be conveyed to Audit Office duly signed in ink and not over cyclostyled signatures
5. Sanctions to be endorsed separately to both A.G. (Audit), H.P. and Senior Deputy A.G. (Accounts & Entitlement), H.P.
6. Sanctions to be sent to both A.G. (Audit), H.P. and Sr. D.A.G. (A&E), H.P. once a fortnight and not in piecemeal

7. **Delegation of enhanced financial powers - Endorsing of copies of sanctions to Finance Department**

Below Rule 18.10

1. **Head of Office may authorise any gazetted officer serving under him to sign bill, voucher or order for him communicating his name and specimen signature to the treasury**
2. **It is always assumed that the sanctioning authority accepts full responsibility for the sanctions issued in his name under the signature of a Gazetted Government servant authorised to sign for him**

Below Rule 19.1

1. **An officer appointed to perform current duties of an appointment can exercise administrative and financial powers vested in full-fledged incumbent of the post but he cannot exercise statutory powers including those contained in the Delegation of Financial Powers Rules**
2. **A gazetted officer authorised by Head of Office to sign bills/vouchers/orders for him cannot, however, exercise powers vested in Head of Office/Disbursing Officer**
3. **Meaning of words 'for any one item, in each case'**

Below Rule 19.5

1. **SOE-wise delegation of financial powers**
2. **Cases involving payment of course fee etc. in connection with the sponsorship of Government servants for various courses in India**
3. **Continuation of temporary posts - Sanction thereof**
4. **Administrative Approval and Expenditure Sanction under MPLAD Scheme**
5. **Administrative Approval and Expenditure Sanctions under Backward Area Sub Plan**

5-A. क्षेत्रीय विकेंद्रीकृत (5% चिन्हांकन) के अन्तर्गत प्रशासनिक अनुमोदन तथा वित्तीय स्वीकृति

6. **Revision/enhancement of powers delegated to officers of Public Works Department**
7. **Revision/enhancement of powers delegated to officers of Irrigation and Public Health Department**

Below Sl. No. 145 of Rule 19.6

1. **Reward Scheme for informants who render credible information leading to registration of a criminal case in the matters relating to leakage of Government revenue and corruption**

Below Rule 19.10

1. **All cases of loans and advances to other Governments, Public Sector Enterprises. Undertakings and other Government bodies etc. (including loans and advances to Government servants and other categories) to be referred to Finance Department**
2. **Sanctions for loans/advances to spell out rate of interest, periodicity and number of instalments in which recovery is to be effected**

3. Sanctions under Major Head "7610 - Loans to Government servants" to indicate Finance Department's Diary No. under which funds have been earmarked

Above Sl. No. 1 of Rules 19.11

4. All cases of write off of loans and advances and waiver of interest to be referred to Finance Department

Above Sl. No. 1 of Rule 19.15

1. Sale and disposal of tents/chholdaries

Above Sl. No. 1 of Rule 19.16

1. Constitution of Committee to look into and make recommendation regarding write off of losses exceeding Rs. 25,000/- due to misappropriation/defalcation
2. Losses due to one incident or one specific cause like fire, theft, flood, etc. not to be split up but to be written off at one time only

At the end of Rule 19.17

1. Refunds to registered dealers under General Sales Tax Act, 1968
2. Power to sanction refund of revenue (i) for credit to correct head of account by book adjustment and (ii) where the receipt does not pertain to Government
3. Departmental Controlling Officers to check monthly statements of treasury credits furnished by the A.G. and to intimate any wrong credit therein to the A.G. with a view to the correction of accounts

*THE HIMACHAL PRADESH FINANCIAL RULES, VOLUME 1

CHAPTER I

Definitions

1.1 The power of interpreting, changing and relaxing these rules is vested in the Finance Department :

Provided that in the case of rules based on the standing instructions issued by the Comptroller and Auditor General of India the aforesaid power shall not be exercised save with the prior consultation of the Comptroller and Auditor General of India.

H. P. GOVT. ORDERS

(1) Financial Rules as applicable in Himachal Pradesh from 1st May, 1971.— Continuation to this Department's Office Memorandum of even number dated the 11th February, 1971, on the above subject.

2. It has been decided by the Government that as from the 1st May, 1971, the following rules shall cease to be in force/come into force:—

A. Existing Rules which shall cease to be in force :

** 1. Fundamental Rules, Vol. I & II.
** 2. Civil Service Regulations.
3. General Financial Rules, 1963.
4. Delegation of Financial Powers Rules, 1959.
5. Central Treasury Rules.

B. Rules/Manuals which shall come into force

** 1. Punjab Civil Service Rules, Vol. I, II & III.
2. Punjab Financial Hand Book No. 1, Vol. I & II-containing Treasury Rules and Appendices.
*** 3. Punjab Financial Hand Book No. 2, Vol. I & II - containing Financial Rules.
4. Punjab Financial Hand Book No. 3 - containing Departmental Rules relating to Public Works and forest Departments.
5. Punjab Sub-Treasury Manual.

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* Rules published in Rajpatra, Himachal Pradesh (Asdharan), dated the 15th July, 1971 *vide* Finance Department (Regulation) Notification No. 15/4/1971-Fin. (R&E-I) dated the 10th May, 1971.

** The decision to enforce Punjab Civil Service Rules from 1-1-1972 *vide* H.P. Govt., F.D., O.M. No. 2-4/71-Fin (Reg), dated the 1st/5th January, 1972 was revoked from the same date *vide* H.P. Govt., F.D., Notification of even No. dated the 30th March, 1974.— *Compiler.*

*** Since published by H.P.Govt. as H.P. Financial Rules, 1971, Vol. I (First Edition) and H.P. Financial Rules, 1971, Vol. II (First Edition).— *Compiler.*

*6. Punjab Budget Manual.

However, the Punjab Civil Services Rules, Vol. I, II & III mentioned at Sl. No.1 of B above, shall become applicable only after the approval of the Government of India already requested for, has been received. Till further orders, therefore, the F.Rs. Vol. I and II and the Civil Services Regulations mentioned under 'A' above, will continue to apply. Other Rules/Manuals will come into force w.e.f. 1-5-1971.

3. The rules/manuals to be made applicable will be styled as Himachal Pradesh Rules/Manuals and may contain some necessary changes. Arrangements for their printing as such are being made after making necessary modifications wherever required in their names as well as in the body of the rules/manuals. In case, however, these rules/manuals do not become available in printed form by the 1st May, 1971, the Punjab Rules/Manuals indicated at B/2-6 above may be referred to as Himachal Pradesh Rules/Manuals and work carried on on this basis until printed copies become available at the Government Printing Press. The Administrative Departments/Head of Departments, Heads of Offices/ Drawing and Disbursing Officers shall exercise w.e.f. 1-5-1971 financial powers as specified in the aforesaid Rules/Manuals.

4. In addition to the above, there are the following Manuals/Codes which the concerned Departments in the Punjab follow in relation to their working and references to which are made in the various Financial Rules indicated at B above:-

a) Forest Manual.
b) Local Audit Deptt. Manual.
c) Public Works Deptt. Code.
d) Stamp Act/Manual.
e) Education Code.

In accordance with the above decision of the Government, it will be necessary that the concerned Departments in Himachal Pradesh also follow suit and take immediate steps to adopt the above-mentioned Manuals/Codes with necessary modifications. The draft Manuals/Codes will be got vetted from the Finance Department before issuing them. As regards the Stamp Act, the Revenue Department will cause a Bill to be introduced in the Vidhan Sabha if such is the requirement of law.

5. It has also been decided that the Administrative Departments shall, notwithstanding the above, get approved from the Finance Department all Really New Schemes which they have tentatively included in their budgets for the year 1971-72. This work will be completed by the 31st of July, 1971. After the Really New Schemes have thus been got approved, the Administrative Department will exercise such powers in respect of these schemes as are available to them under the aforesaid Rules/Manuals.

6. It has further been decided that new posts shall not be created in any Department without the approval/concurrence of the Finance Department irrespective of the new Rules being adopted. In this matter, therefore, all proposals for the creation of new posts will be got approved from the Finance Department, as at present.

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*Since published by H.P. Govt. as H.P. Budget Manual, 1971 (First Edition).— *Compiler*

7. The above orders of the Government may kindly be brought to the notice of all concerned.

[H.P. Govt., F.D., O.M. No. 12-40 68-Fin (R&E) - III, dated the 13th April, 1971 and O.M. No. 24-1 71-Fin (R&E), dated the 28th April, 1971

(2) Submission of all proposed corrections of the State Codes and Manuals for the previous scrutiny of Accountant General.— It is obviously a matter of great convenience, not only to audit but to administrative authorities generally, that the simple principle laid down in Rule IV of the Audit Resolution of 15th March, 1913 should continue to be fully maintained, i.e. all general codes should be fully accepted and not require examination or be open to challenge in audit on every occasion with reference to the original sanctions on which they are based. With this object, the Government of India in their various departments have agreed to submit all proposed corrections of the Codes for which they are responsible for the previous scrutiny of the Comptroller and Auditor General whenever the corrections have financial bearing. A similar practice should be followed by State Governments as regards the various State Codes and Manuals. All orders which have a financial bearing either directly or indirectly and involve corrections to the existing rules, and corrections thereto which are not the outcome of formal official orders but have a financial bearing may be sent to the Accountant General for scrutiny before issue. The Accountant General will examine the sufficiency of the sanction in each case, and in cases in which the orders are shown to him before issue he will indicate whether it is necessary that the consequential code corrections should also be scrutinised by him before the latter are promulgated. Under this procedure, every future correction will have valid authority behind it and the Audit Department will continue to be able to accept the codes as they stand.

[G.I., F.D., O.M. No. 680 - C.S.R., dated the 15th July, 1916]

(3) Departments concerned to scrutinise properly Acts/Rules with a view to plug loop-holes to eradicate corruption.— It was observed during the course of discussions in the meeting of the State Vigilance Committee that the Departments concerned do not apply necessary checks to plug loop-holes in the Departmental rules and regulations which lead to corrupt practices. I am accordingly desired to request you please to ensure periodical checks and inspections of the stores and offices under your supervision as provided in the existing rules/instructions. The Committee also stressed that the Heads of Departments should comply with the directions issued in this behalf from time to time promptly and strictly failing which entries in their annual C.Rs. will be made accordingly.

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* Forest Manual, Vol. I (Accounts & Budget) was published by H.P. Administration, Forest Deptt. in 1958 and its new edition was also brought out by H.P. Govt., Forest Deptt. a few years back.— *Compiler.*

** The H.P. Education Code was brought out by H.P. Govt., Education Deptt. In 1985.— Compiler.

2. It has further been desired by the Committee that the Departments concerned should scrutinise properly their Acts/Rules with a view to plug loop-holes in the effort to eradicate corruption and submit a report to the Vigilance Department of the action taken by them in this behalf.

3. The receipt of this letter may please be acknowledged.

[H.P. Govt., Personnel Deptt. (Vigilance), letter No. 6-1/72-VIG, dated the 30th June, 1973]

(4) Routing of clarificatitory queries to Finance Department.— The undersigned is directed to say that it has been observed that repeated references are made direct by various quarters subordinate to Administrative Departments in the Secretariat to the Finance Department on points of doubt, involving clarification of rules and instructions on various matters. There are cases where not only the Administrative Department but also the Head of the concerned Department is bypassed and where direct communications are sent to Finance Department by various lower offices in the field. Besides adding to the unnecessary correspondence at the Secretariat level, this practice does not appear to be desirable as by doing so various administrative channels are bypassed.

2. It is accordingly impressed upon all Administrative Departments kindly to ensure that communications of the type referred to above are sent and information/clarification sought from the Finance Department through and by the Administrative Section in the Secretariat.

[H.P. Govt., F.D., O.M. No. 6-4/74-Fin.(Reg.), dated the 20/27th February, 1975]

(5) Submission of sanction cases to Finance Department.— To avoid rush of expenditure at the fag end of the financial year, instructions have been issued time and again by the Finance Department to phase the expenditure quarter-wise and obtain sanctions from the Finance Department accordingly so that the cases are examined on merit by the Administrative Department as well as in the Finance Department in time. The instructions issued by Finance Department are not being followed strictly.

It has also been noticed that at the end of the financial year a large number of cases received in Finance Department have been attended in a very cursory manner. In certain cases the drafts of sanction letters are illegible and full of cuttings/amendments. In some cases even the figures of the amount for which sanction is required are not clear and the figures are not indicated in words. Thus the amount cannot be cross checked.

Sometimes total amount of sanction is not indicated in the body of the sanction letter but large details are shown without grand total for which the sanction is required with the result that it becomes difficult and time consuming for the Finance Department to calculate the amount in each case leaving it with no option but to return the case to Administrative Department, for the latter to do something which it should anyway have done in the first instance.

Besides, it has also been noticed that the Administrative Departments are sending cases for sanction of amount during this financial year for items for which funds have been demanded during the next financial year i.e. 1986-87, which is absolutely wrong.

In view of the above position it is again emphasised upon the Administrative Departments to ensure submission of the cases to the Finance Department in a proper manner indicating also the amount for which sanction is required to be given in words also in the draft sanction letter and noting portion. The item of the budget documents alongwith specific page No. where provision exists may invariably be indicated in the noting of Administrative Department file so that the cases are decided expeditiously in Finance Department.

[H.P. Govt., F.D., letter No. 11-30/82-Fin (E), dated the 22nd March, 1986 to all Secretaries/Joint Secretaries/Deputy Secretaries to H.P. Govt.]

(6) Points to be kept in view while sending cases to Finance Department for advice/clarification/opinion/concurrence.— It has been observed that cases received from the Administrative Departments seeking advice/clarification/confirmation from the Finance Department are not properly examined and notes/pages of the file(s) are referred to. Moreover, the Administrative Departments do not give complete background of the case/position of rules under which the case is examined and do not offer or indicate comments, implications/precedents/financial implications involved, as the case may be, but instead only refer letters received from their subordinate offices for advice/clarifications, etc. and thus it not only hampers proper examination of the case in its proper perspective but also causes undue delay. The proposal/case should, in fact, be self-explanatory and also contain views/opinion of the Administrative Department, wherever required and points at issue which need opinion/concurrence should invariably be highlighted. Even a number of cases which fail under the delegation issued to Heads of Departments/Administrative Deptts. are referred to Finance Department resulting in undue delay in deciding the cases which could otherwise be decided at appropriate levels as per delegations of powers.

2. It has, therefore, been decided that in future, incomplete proposals of the Administrative Department will not b entertained until and unless it has been sent to the Finance Department for advice/clarification after proper scrutiny by the Administrative Department keeping the following aspects in view :-

i) Full facts of case.
ii) Previous precedent, if any
iii) Implications of the proposal, if any.
iv) Financial implications involved, if any.
v) Position of rules/instructions.
vi) Comments/recommendations of the A/D.
vii) Points on which clarification/advice of the Finance Department is being sought.

3. It may also please be borne in mind that such cases as can be disposed of by the Administrative Department itself under delegated powers should not be referred to the Finance Department.

4. It has also been observed that subordinate offices and Corporations/Boards, etc. of the Pradesh ask for numerous clarifications on the basis of instructions/rules issued by this Department which as a matter of procedure should be sought from the concerned Administrative Department. The Administrative Departments are, therefore, advised to direct their subordinate offices/Corporations/Boards, etc. not to seek clarifications/advice direct from the Finance Department and instead cases be referred to the respective Administrative Departments. In case the A/Ds are not in a position to clarify the position, in that case only the issue may be referred to the Finance Department for clarification/advice. Similarly copies of Finance Department's circulars issued from time to time may be sent for by the subordinate offices/Corporations/Boards, etc., from their respective Administrative Departments to whom each and every circular issued by the Finance Department stand endorsed/ addressed.

[H.P. Govt., F.D. O.M. No. Fin (C)-A(1)-1/87, dated the 4th February, 1988]

(7) Submission of cases for concurrence of Finance Department - Check-list of shortcomings generally noticed.— I am directed to say that the Hon'ble Committee on Estimates of H.P. Vidhan Sabha, in its recommendations contained in the Third Report 1994-95 has desired the Finance Department to examine the cases received in Finance Department in such a way that all shortcomings/objections in the case(s) found incomplete are specified to the department concerned in one go and the department is asked to remove all the objections/shortcomings accordingly instead of repetitive objections which causes delay in finalisation of the cases, particularly the sanction cases. The Hon'ble Committee has further recommended to impress upon all departments to send cases to the Finance Department only after proper scrutiny, after completing all codal formalities in accordance with the provisions of the relevant rules and after obtaining prior approval of the competent authority and the departments may not send incomplete cases to Finance Department in future.

2. Normally, the following types of proposals are sent to the finance Department for its concurrence :-

i) Creation, continuation of posts, filling up of vacant posts, on daily wage, part-time basis;
ii) Finalisation of Recruitment and Promotion Rules;
iii) Expenditure sanction/administrative approval cases beyond the financial powers of Administrative Department.
iv) Sanction of time-barred claims;
v) Sanction of grant-in-aid, finalisation of Grant-in-aid Rules;
vi) Implementation of Centrally Sponsored Schemes covering all aspects;
vii) Purchase of vehicles, replacements, repairs, etc., and purchase of other store/stationery items beyond the financial powers of the administrative Departments;
viii) Condemnation/Disposal of store items;
xi) Hiring of private buildings;
x) Telephones and allied items.

3. The cases listed above are illustrative and are not exhaustive. In addition, cases are received in Finance Department seeking guidance/clarification on matters involving interpretation of rules/instructions or matters of policy under the Rules of Business.

4. Instructions have been issued from time to time in the past requesting that on submission of cases to the Finance Department for concurrence/clarification they should be complete in all respects so as to avoid undue delay in their finalisation. A *check-list* of shortcomings generally noticed by the Finance Department, which form the basis of the Finance Department for raising objections is enclosed.

5. I am to request you kindly to ensure that cases sent to Finance Department should be detailed, self-contained and complete in all respects with the prior approval of the competent authority and indicating therein the detailed position of rules/instructions (due to which F.D.'s concurrence is required), budgetary/scheme provisions and factual data so that there is no case for the Finance Department to raise objections.

[H.P.Govt., F.D., letter No. Fin-E-1(C) 17-1 88-I, dated the 12th May, 1995]

CHECK-LIST

Preliminary Objection Memorandum

1. Budget provision alongwith -
    - (a) Page of Budget Book
    - (b) Items of SNE/Appendices
    - (c) Head of Account
    - (d) Balance provision available

    not indicated
2. Justification with reference to work-load not given
3. Existing staff/staffing pattern not given
4. Punjab pattern not indicated
5. Creation/previous year's continuation orders are not attached
6. Proposal not according to proforma prescribed by the Department of Personnel/F.D.
7. History sheet indicating purchase price, expenditure on repairs, mileage covered etc. not attached
8. Proceedings of Condemnation Board/Committee not attached
9. Proposal not accompanied by Grant-in-aid Rules
10. Utilisation Certificate not submitted
11. Enquiry Report not attached
12. Audit Certificate not available
13. Certificate required under Treasury Rules not recorded
14. Estimates not Administratively/Technically approved by competent authority
15. Revised sanction not within time limit
16. Reasons for seeking Revised A/A and E/S not indicated
17. Proceedings of Negotiating Committee meeting not attached
18. Entitlement according to F.D.'s norms not indicated.
19. Proposal not routed through Administrative Secretary
20. Case not submitted with a self-contained note
21. No check-list signed by Branch Officer attached to the case.

(8) Manner in which rules, regulations, practices or interpretations should be applied.— Government have notified that there is a tendency on the part of officials to take a technical view of things even when the rules and laws permit recourse to a lenient view.

It is desired that the rules, regulations, practices or interpretations should be applied in such a manner that wherever there is scope, they should encourage individual or public initiative and cooperation rather than discourage initiative. This is particularly necessary in the light of the progressive programmes of action initiated by Government since the declaration of emergency.

[Chief Secretary, H.P. Govt. letter No. Coop. E(a)1/76, dated the 17th December, 1976]

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1.2 Unless there be anything repugnant in the subject or context, the terms defined in this chapter are used in these rules in the sense hereby explained.

1.3 **"Abstract Bill"** is a bill without details either for contingent or travelling allowance expenditure (other than travelling allowance expenditure of the Public Works Department) paid at a treasury without the scrutiny and countersignature of a controlling authority, to save delay in the discharge of a claim. In the Public Works Department, abstract bills for travelling allowance expenditure are paid after scrutiny and countersignature of the detailed bills by the controlling officers.

1.4 **"Administrative Approval"** is the formal acceptance by the Adminsitrative Department (defined below) of a proposal to incur expenditure on works initiated by or connected with the requirements of that department.

In the case of works executed by the Public Works Department, it is in effect an order to that department to execute a certain specified work at a stated sum to meet the administrative needs of the department requiring the work (*See* also rule 1.38).

Note 1.— "Administrative Department" means a department of the Himachal Pradesh Government other than the Finance Department.

Note 2.—The administrative approval accorded to a proposal previous to its inclusion in a Schedule of New Expenditure or list of Major Works as the case may be, should be endorsed by the competent authority to the Accountant General, Himachal Pradesh, and should be treated as financial sanction to the extent the funds are voted by the Legislature. Where, however, the provision in the Budget has subsequently been revised and is not in accordance with the administrative approval already accorded, fresh administrative approval will be accorded and the same will be treated as financial sanction.

1.5 **"Appropriation"** means the assignment to meet specific expenditure of funds at the disposal of the assigning authority.

1.6 **"The Bank"** means any office or branch of the Banking Department of the Reserve Bank of India, any branch of the State Bank of India acting as the agent of the Reserve Bank of India, in accordance with the provisions of the Reserve Bank of India Act (2 of 1934) and any branch of a Subsidiary Bank, as defined in section 2 of the State Bank of India (Subsidiary Banks) Act, 1959 (38 of 1959), which is authorised to transact Government business as agent of the State Bank of India or any other agency appointed by the Reserve Bank of India.

"Reserve Bank" means the Reserve Bank of India

1.7 **"Book Transfer"** denotes the process whereby financial transactions which do not involve the giving or receiving of Cash, or of Stock materials, are brought to account. Such transactions usually represent liabilities and assets brought to accounts either by way of settlement or otherwise, but they may also represent corrections and amendments made in Cash, Stock, or Book Transfer transactions previous taken to account.

1.8 **"Bonus"** means payment made in addition to the prescribed pay or wages as a reward for special good work or service or for out-turn of work in excess of a prescribed limit.

1.9 **"Cash"** includes legal tender coin, currency and Bank Notes, cheques payabe on demand, Reserve Bank Government drafts, and demand drafts and also ten paise revenue stamps.

Government securities, deposit receipts of banks, debentures and bonds accepted as security deposit are not treated as cash.

1.10 **"Cash Order"** is a payment order issued by a Head Treasury on a Sub-Treasury under its jurisdiction, in favour of the person to whom the money is due or who is responsible for its disbursement and is payable in lump sum.

1.11 **"Charged Expenditure"** is the expenditure which under various Articles of the Constitution of India has been declared as charged on the Consolidated Fund of the State, and as such is not subject to the vote of the Legislature.

1.12 **"Class of Government servants"** means :--

(1) all Government servants, holding posts bearing the same designation in the same department or service, and

(2) all Government servants holding posts which have been declared by the competent authority to be a single class.

1.13 **"Competent Authority"** in relation of the exercise of any power means the Administrative Department concerned acting in consultation with the Finance Department or any other authority to which the relevant powers may be delegated.

Finance Department may prescribe cases in which its consent to the exercise or delegation of any power under these rules by the authorities specified may be considered to have been given.

Note.— List of authorities competent to exercise powers under these rules are detailed in Chapter XI.

1.14 **"Consolidated Fund of State"** is the fund into which all revenues received by the Government of the State, loans raised by the Government by the issue of treasury bills, loans or ways and means advances, and moneys received by that Government in repayment of loans, are credited and from which the expenditure of that State, when authorised by the appropriate Legislature, is met.

Note.— All other public moneys received by or on behalf of the Government of Himachal Pradesh shall be credited to the "Public Account of the State of Himachal Pradesh" (See rule 1.32 below).

1.15 **"Contract"** means any kind of undertaking written or verbal, express or implied, by a person, not being a Government servant, or by a syndicate or firm for the construction, maintenance or repairs of one or more works for the supply of materials, or for the performance of any service in connection with the execution of works or the supply of materials.

1.16 **"Contractor"** means a person, syndicate or firm that has made a contract, but the use of this term is often restricted to contractors for the execution of works or for services in connection therewith.

1.17 **"Controlling Officer"** means a head of a department or other departmental Officer who is entrusted with the responsibility of controlling the incurring of expenditure and/or the collection of revenue by the authorities subordinate to the department.

In relation to receipt and expenditure under any head of account, this term denotes a gazetted Government servant declared as such by a Head of Department.

1.18 **"Detailed Bill"** is a bill setting forth the details of either contingent or travelling allowance expenditure, and is subject to contersignature by a controlling authority. It is marked "No Payable at the Treasury" when it is prepared in support of a charge already drawn on an abstract bill.

1.19 **"Detailed Head"** is a division of a minor head.

1.20 **"Disbursing Officer"** means an officer defined as such in rule 2.16 of Himachal Pradesh Budget Manual and also includes a Head of Office.

H.P. GOVT. ORDERS

(1) Correct nomenclature is 'Disbursing Officer' and not 'Drawing and Disbursing Officer'.— With reference to your letter No. Lang-Mu(A-II)-845, dated the 13th April, 1983, on the subject noted above, I am directed to clarify that the Himachal Pradesh Financial Rules, 1971, do not provide for declaring officers as 'Drawing and Disbursing Officers' but the appropriate definition of this category of officers who are supposed to draw funds from the treasuries and disburse is 'Disbursing Officers'. To that extent the H.P. Financial Rules are quite different from the General Financial Rules of the Central Government. In that connection, attention is invited to para 2.16 of the Budget Manual, wherein it has been provided that a Disbursing Officer is a Government servant who draws money for disbursement on bills/cheques from the treasury. In view of this, the question of making any amendment in the orders issued by this department *vide* notification of even number, dated 21st December, 1982 does not arise.

[H.P. Govt., F.D., letter No. Fin.(C)-A(2)-1/82, dated the 26th April, 1983 to the Director, Languages & Culture, H.P., Shimla]

(2) Powers to declare a Government servant as Disbursing Officer may be exercised by Administrative Departments without consulting Finance Department.— See Decision (1) below H.P. Subsidiary Treasury Rule 4.2.

(3) Deputy Commissioners may declare Disbursing Officers for work relating to Tribal Department plan.— See Decision (2) below H.P. Subsidiary Treasury Rule 4.2.

(4) Points to be kept in view while declaring Disbursing Officers.— See Decision (3) below H.P. Subsidiary Rule 4.2.

(5) An officer appointed to perform current duties of an appointment can exercise administrative and financial powers vested in full-fledged incumbent of the post but he cannot exercise statutory powers including those contained in the Delegation of Financial Powers Rules.— See Order (1) below Rule 19.1 of this Compilation.

(6) The power of signing bills for drawal of funds from Treasury and disbursing the same is, however, not a statutory power.— See Decision (4) below H.P. Subsidiary Treasury Rule 4.2.

(7) A gazetted officer authorised by Head of Office to sign bills/vouchers/orders for him cannot, however, exercise powers vested in Head of Office/Disbursing Officer - Authorisation to sign remains effective till it is withdrawn or altered.— See Decision (7) below H.P. Subsidiary Treasury Rule 4.7.

(8) Drawing Officer of a newly created office cannot make withdrawals without being placed in account with the treasury by the Accountant General.— See Rule 4.150-A of H.P. Subsidiary Treasury Rules.

(9) A drawing officer making over charge of his office to another to send a specimen of relieving Government servant's signature to Treasury Officer/Bank.— See H.P. Treasury Rule 29.

* * *

1.21 **"Finance Department"** means the Finance Department of the Government of Himachal Pradesh.

1.22 **"Financial Year"** means the year beginning on the 1st of April and ending on the 31st March following.

1.23 **"Government"** means any Administrative Department of the Government of Himachal Pradesh.

1.24 **"Grade"** of Government servants means a sub-division, according to pay, of a class of Government servants.

1.25 **"Head of Department"** means in relation to receipts and expenditure, under any head of account, the authority shown as such in Appendix D to the Himachal Pradesh Budget Manual (1st Edition).

H.P. GOVT. ORDERS

(1) Resident Commissioner, Pangi is Head of Department under the Demand " Tribal Department".— Order (1) in the Annexure at the end of this Chapter.

(2) Deputy Commissioner, Kinnaur, Lahaul and Spiti, Chamba and Additional Deputy Commissioner, Kaza to function as Heads of Departments under the Demand "Tribal Development".— See Order (2) in the Annexure at the end of this Chapter.

(3) Single line administration in tribal areas.— See Order (3) in the Annexure at the end of this Chapter.

* * *

*1.26 **"Head of Office"** means a Government servant designated as a disbursing officer or any other gazetted Government servent declared to be the head of an office by competent authority.Heads of departments have been authorised to declare any gazetted officer subordinate to them to be the head of an office for the purpose of these rules.

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* According to G.I., M.F., O.M. No. 1 (55)-E. II (A)/62, dated the 25 th October, 1962 "it is not permissible to declare more than one gazetted officer as Head of Office in respect of the same establishment unless the two establishments are distinctly separate from one another".— *Compiler.*

H.P. GOVT. ORDERS

(1) Head of Department cannot declare as Head of Office a gazetted officer of another department attached to his department for certain purposes but drawing his pay from his parent department.— *Point raised.*— *Vide* H.P. Financial Rules 1.26, a Head of Department is authorised to declare any Gazetted Officer subordinate to him to be the Head of an Office for the purpose of H.P. Financial Rules, 1971.

2. *Prima-facie*, the rule is very clear and any Gazetted Officer can be vested with the powers of a Head of the Office. However, a doubt has arisen whether a Gazetted Officer, who is attached with the Department for certain purposes, but draws his pay from his parent department, can be declared as Head of Office. To quote a specific example a proposal has been received from D.I.G. (Enforcement) to declare Dy. Director (Prosecution) attached with the Enforcement Department for legal purposes as Head of the Office.

3. This officer draws his salary from Directorate of Prosecution though he is posted in the Enforcement Directorate.

4. It may kindly be clarified, if it would be in order to declare this officer as Head of the Office under H.P. Financial Rules.

5. An early clarification is requested.

Clarification.— I am directed to refer to your letter No. 160, dated the 10th February, 1986 on the above subject and to clarify that such cases will not be covered under rule 1.26 of H.P. F.R., Vol.I.

[H.P. Govt., F.D., letter No. Fin (C) A(2)-1/84, dated the 19th February, 1986 to I.G. of Police, Enforcement & Vigilance, H.P.]

(2) Single line administration in Dodra Kwar area – S.D.O. (Civil) to exercise powers of Head of Office/Institution in the area both in administrative and financial matters.— See Item (d) of Order (3) in the Anenxure at the end of the Chapter.

◆

1.27 **"Major Head"** is a main unit of classification of revenue and expenditure in the Government accounts.

1.28 **"Minor Head"** is a sub-division of a Major Head.

1.29 **"Non-recurring Expenditure"** means expenditure sanctioned as a lump sum charge whether the money is paid as a lump sum or by instalments.

Note.— Sanction to any item of expenditure which is of a fixed recurring nature and does not vary periodically and which is chargeable to contingencies or to pay of establishment and which does not extend beyond the financial year or beyond six months within the financial year is deemed to be a sanction for non-recurring expenditure.

1.30 **"Primary Units of Appropriation"** is a portion of the supply under each minor head which is allotted to a prescribed sub-division of the head as representing one of the primary objects of the supply.

1.31 **"Proposition Statement"** is a statement setting forth the financial effect of the proposal involving the creation, alteration or abolition of posts on an establishment.

1.32 **"Public Accounts of the State of Himachal Pradesh"** is the account into which all public moneys other than those which form a part of the Consolidated Fund of the State, received by/or on behalf of the State are credited and from which disbursements are made in accordance with the prescribed rules.

Note.— All moneys received by or deposited with any officer employed in connection with the affairs of the State in his capacity as such, other than revenues or public money raised or received by the Government of the State should also be paid into the "Public Account of the State".

1.33 **"Re-appropriation"** means the transfer of funds from one unit of appropriation to another such unit.

1.34 **"Recurring Expenditure"** means all expenditure which is not non-recurring.

1.35 **"Secondary Units of Appropriation"** are the divisions into which a primary unit of appropriation is divided for the purposes of financial control.

1.36 **"Subsidiary Treasury Rules"** are the rules issued by the Finance Department under the Treasury Rules. These rules are contained in Part II of the Himachal Pradesh Financial Hand Book No. 1.

1.37 **"Subordinate Authority"** means any authority subordinate to the Administrative Department of the Government.

1.38 **"Technical Sanction"** is the sanction of a competent authority to a properly detailed estimate of the cost of a work of construction or repair.

Ordinarily such sanction can only be accorded by Government in the Public Works Department to whom the power has been delegated by Government.

1.39 **"Treasury Rules"** means the Treasury Rules of the Himachal Pradesh Government. They are contained in Part I of Himachal Pradesh Hand Book No. 1.

1.40 **"Voted Expenditure"** is the expenditure other than "charged" which is subject to the vote of the Legislature.

ANNEXURE

H.P. GOVT. ORDERS

(1) Resident Commissioner, Pangi is Head of Department under the Demand "Tribal Development".— The Governor, Himachal Pradesh is pleased to order that the Resident Commissioner, Pangi, District Chamba, H.P. shall function as Head of the Department under Demand No. 35 - Tribal Development in respect of the following Major Heads of Accounts and Minor heads thereunder :-

1.	229	Land Revenue
2.	230	Stamps and Registration
3.	245	Other Taxes and duties on commodities and services
4.	247	Other fiscal services
5.	253	District, Administration
6.	254	Treasury & Accounts Adminstration
7.	255	Police
8.	259	Public Works
9.	265	Other Administrative services
10.	268	Miscellaneous General Services
11.	276	Secretariat, Social & Community Services
12.	277	Education
13.	278	Art and Culture
14.	280	Medical
15.	281	Family Planning
16.	282	Public Health, Sanitation and Water Supply
17.	283	Housing
18.	284	Urban Development
19.	285	Information and Publicity
20.	287	Labour and Employment
21.	288	Social Security and Welfare
22.	289	Relief on account of Natural Calamities
23.	296	Secretariat Economic Services
24.	298	Cooperation
25.	304	Other General Economic Services
26.	305	Agriculture
27.	306	Minor Irrigation
28.	307	Soil and Water Conservation
29.	308	Area Development
30.	309	Food
31.	310	Animal Husbandary
32.	311	Diary Development
33.	312	Fishries

34.	313	Forests
35.	314	Community Developemnt
36.	320	Industries
37.	321	Village and Small Scale Industries
38.	328	Mines and Minerals
39.	333	Irrigation , Navigation, Drainage and Flood Control.
40.	336	Civil Aviation
41.	337	Road and Bridges
42.	339	Tourism
43.	363	Compensation and assignment to Local Bodies and Panchayats.
44.	459	Capital Outlay on Public Works
45.	477	Capital Outlay on Education, Art and Culture
46.	480	Capital Outlay on Medical
47.	482	Capital Outlay on Public Health, Sanitation and Water Supply
48.	483	Capital Outlay on Housing
49.	484	Capital Outlay on Urban Development
50.	495	Capital Outlay on other Social and Community Services
51.	498	Capital Outlay on Co-operation
52.	505	Capital Outlay on Agriculture
53.	506	Capital Outlay on Minor Irrigation, Soil Conservation and Area Development
54.	509	Capital Outlay on Food and Nutrition
55.	510	Capital Outlay on Animal Husbandry
56.	511	Capital Outlay on Dairy Development
57.	512	Capital Outlay on Fishries
58.	513	Capital Outlay on Forests
59.	515	Investment on Agricultural Financial Institutions
60.	521	Capital Outlay on Village & Small Industries
61.	533	Capital Outlay on Irrigation, Navigation, Drainage & Flood Control Projects
62.	536	Capital Outlay on Civil Aviation
63.	537	Capital Outlay on Road and Bridges
64.	538	Capital Outlay on Road & Water Transport Services
65.	544	Capital Outlay on other Transport and Communication Services
66.	683	Loans for Housing
67.	688	Loans for Social Security & Welfare
68.	695	Loans for other Social & Community Services
69.	704	Loans for other General Economic Services
70.	705	Loans for Agriculture
71.	706	Loans for Minor Irrigation, Soil Conservation and Area Development
72.	714	Loans for Community Development
73.	721	Loans for Village & Small Scale Industries
74.	734	Loans to Power Projects

[H.P.Govt., F.D., Notification No.Fin(C)-A(2)-2/83, dated the 24th May, 1986]

(2) Deputy Commissioners, Kinnaur, Lahaul & Spiti, Chamba and Additional Deputy Commissioner, Kaza to function as Heads of Departments under the Demand "Tribal Development".— The Governor, Himachal Pradesh is pleased to order that the Deputy Commissioner, Kinnaur, Deputy Commisioner Lahaul and Spiti, Deputy Commissioner, Chamba and Additional Deputy Commissioner, Kaza shall function as Head of the Departments under Demand No.31 - Tribal Development in respect of the following Heads of Accounts and Minor Heads thereunder regarding the areas mentioned against each :-

1.	Deputy Commissioner, Kinnaur	Kinnaur Distt.
2.	Deputy Commissioner, Lahaul and Spiti	Lahaul area
3.	Deputy Commissioner, Chamba	Bharmour area of Chamba Distt.
4.	Additional Dy. Commissioner, Kaza	Spiti-Kaza area

Heads of the Accounts :

1.	2014	Administration of Justice
2.	2015	Elections
3.	2029	Land Revenue
4.	2030	Stamps and Registration
5.	2045	Other taxes and duties on commodities & services
6.	2047	Other fiscal services
7.	2053	District Administration
8.	2054	Treasury & Accounts Administration
9.	2055	Police
10.	2056	Jails
11.	2059	Public Works
12.	2075	Miscellaneous General Services
13.	2070	Other Administrative Services
14.	2202	General Education
15.	2204	Sports and Youth Services
16.	2205	Arts and Culture
17.	2210	Medical and Public Health
18.	2211	Family Welfare
19.	2215	Water Supply and Sanitation
20.	2216	Housing
21.	2217	Urban Development
22.	2220	Information and publicity
23.	2225	Welfare of Scheduled Caste, Scheduled Tribes and other Backward Classes
24.	2230	Labour and Employment
25.	2235	Social Security and Welfare
26.	2236	Nutrition
27.	2245	Relief on account of natural calamaties
28.	2251	Secretariat Social Services

29.	2401	Crop Husbandry
30.	2402	Soil and Water conservation
31.	2403	Animal Husbandry
32.	2404	Dairy Development
33.	2405	Fishries
34.	2406	Forestry and Wild Life
35.	2408	Food Storage and Warehouses
36.	2415	Agriculture Research and Education
37.	2425	Co-operation
38.	2435	Other Agricultural Programmes
39.	2501	Special Programme for Rural Development
40.	2505	Rural Development
41.	2506	Land Reforms
42.	2515	Other r Rural Development Programmes
43.	2702	Minor Irrigation
44.	2711	Flood Control
45.	2810	Non-conventional resources of energy
46.	2851	Village and Small Industries
47.	2852	Industries
48.	2853	Non - Ferrous Minings and Mineral Industries
49.	3053	Civil Aviation
50.	3054	Road and Bridges
51.	3425	Other specific Research
52.	3435	Ecology and Environment
53.	3452	Tourism
54.	3454	Census Survey and Statistics
55.	3456	Civil Supplies
56.	3475	Other General Economic Services
57.	3604	Compensation and assignments to Local bodies and Panchyati Raj Institutions
58.	4059	Capital Outlay on Public Works
59.	4202	Capital Outlay on Education, Sports, Art and Culture
60.	4210	Capital Outlay on Medical & Public Health
61.	4215	Capital Outlay on Water Supply, Sanitation
62.	4216	Capital Outlay on Housing
63.	4217	Capital Outlay on Urban Development
64.	4225	Capital Outlay on Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes.
65.	4401	Capital Outlay on Crop Husbandry
66.	4402	Capital Outlay on Soil & Water Conservation
67.	4403	Capital Outlay on Animal Husbandry
68.	4404	Capital Outlay on Dairy Development
69.	4405	Capital Outlay on Fishries

70.	4406	Capital Outlay on Forestry & Wild Life
71.	4408	Capital Outlay on Food Storage & Warehousing
72.	4416	Capital Outlay on Investment in Agricultural Financial Institutions
73.	4425	Capital Outlay on Co-operation
74.	4701	Capital Outlay on Major & Medium Irrigation
75.	4702	Capital Outlay on Minor Irrigation
76.	4711	Capital Outlay on Flood Control Projects
77.	4851	Capital Outlay on Village & Small Indsutries
78.	5053	Capital Outlay on Civil Aviation
79.	5054	Capital Outlay on Roads and Bridges
80.	5055	Capital Outlay on Road Transport Services
81.	5452	Capital Outlay on Tourism
82.	6216	Loan for Housing
83.	6245	Loan for Natural Calamities
84.	6401	Loans for Crop Husbandries
85.	6402	Loans for Soil & Water Conservation
86.	6408	Loans for Storage and Warehousing
87.	6515	Loans for other Rural Development Programmes
88.	6801	Loans for Power Projects
89.	6851	Loans for Village & Small Industries.

[H.P.Govt., F.D., Notification No. Fin.(C) - A(2)-1/78, dated the 8th June, 1988]

(3) **Single-line administration in tribal areas.**— (a) I am directed to say that a Resident Commissioner has been posted at Pangi for the better administrative and development of the area. For this purpose he has been vested with the following administrative powers :-

1) There will be no correspondence between Resident Commissioner's office and other offices in Pangi and instead all cases requiring his orders will be put up to him on the departmental file.

2) The Resident Commissioner shall exercise the powers of Head of Department in all administrative matters in respect of offices located in Pangi in terms of Fundamental Rules, CSR, CCS(CCA) Rules, 1965, Central Civil Services Pension Rules, 1972, Central Civil Services (Conduct) Rules, 1964, and Central Civil Services (Temporary Services) Rules, 1965. The cases which are beyond the competence of Head of Department will be sent by Resident Commissioner to the Commissioner-cum-Secretary (TD).

3) (a) In respect of Annual Confidential Reports of non-Gazetted establishment he shall be the final Accepting Authority.

(b) In respect of Gazetted Officers of all offices located in Pangi, he shall be the Initiating Authority in case the earlier Initiating Authority was not located in Pangi and he shall be the Reviewing Authority in respect of ACRs of those Gazetted Officers whose Intiating Authority is also located in Pangi. The ACRs initiated/ reviewed by him shall be sent to the Secretary to Government in the Department concerned directly without being routed through the normal Head of the Department.

4) Transfer of officials to and from Pangi will be done by the concerned authority with prior approval of the Resident Commissioner.

5) As Head of Department he shall be the disciplinary Authority in espect of non-Gazetted staff located in offices in Pangi. He shall have the powers to impose minor penalty in respect of Gazetted Officers of offices located in Pangi.

Accordingly, instructions may be issued to all offices located in Pangi to give effect to these orders.

[H.P. Govt., Per. Deptt., letter No. PER(AP-II)-B(15)1/84, dated the 13th May, 1986]

(b) I am directed to say that the Government has been considering the question of delegating powers to make appointment to certain Class-III & IV posts in Lahaul & Spiti District. After careful consideration, it has been decided that the Deputy Commissioners, Lahaul & Spiti and Kinnaur and the Resident Commissioner, Pangi, shall be the Appointing Authorities in respect of all Class-III and IV posts which are not within the purview of the Public Service Commission and which form part of the district cadres. So far as those Class-III and IV posts which form part of State or Zonal cadres and which are not within the purview of H.P. Public Service Commission, the respective Departments may examine the feasibility of forming district cadres of these posts in respect of Lahaul & Spiti and Kinnaur Districts and the Pangi Sub-Division of Chamba District so that appointment to these posts can be made by the Deputy Commissioner, Lahaul & Spiti and Kinnaur and the Resident Commissioner, Pangi.

2. It has also been decided that for the purpose of recruitment at district level, the Selection Committee shall be headed by the Deputy Commissioner concerned or the Resident Commissioner, Pangi. The senior most officer of the Department concerned to which the posts relate and one more officer nominated by the Deputy Commissioner/Resident Commissioner shall be the other members of this Selection Committee.

3. The above decision may kindly be implemented with immediate effect.

[H.P. Govt., Personnel Deptt., letter No. PER(II)B(2)-1/85, dated the 10th April, 1985]

(c) I am directed to say that the proposal for the introduction of single-line administration in the remaining four ITDP areas, *viz.*, Kinnaur, Lahaul - Spiti and Bharmour on Pangi pattern had been under consideration of the Government for some time past. After careful consideration of the matter and also after analysing the achievements made consequent to the introduction of similar scheme in Pangi Sub-Division of Chamba District, it has been decided to introduce single-line administration in the Districts of Kinnaur and Lahaul-Spiti and Bharmour Sub Division of Chamba District with effect from 15-4-1988.

2. Consequently it has been decided that the following officers will head the single line administration and function as Head of Department in respect of all Departments and will exercise the same powers as are delegated to the Resident Commissioner, Pangi in respect of the different departments in their areas :-

a)	Kinnaur	Deputy Commissioner, Kinnaur
b)	Lahaul	Deputy Commissioner, Lahaul & Spiti.
c)	Spiti-Kaza	Additional Deputy Commissioner,
d)	Bharmour (Distt. Chamba)	Deputy Commissioner, Chamba

3. The Deputy Commissioner/Additional Deputy Commissioner heading the single-line administration in the above areas will exercise all powers of the Head of the Department in respect of all officers up to Divisional level i.e. Executive Engineers, Deputy Conservators of Forests etc. posted in their areas. All these Divisional level officers will exercise technical powers to the extent of one step higher in their respective ladders.

4. For ensuring single-line administration in respect of development, law and order, administrative and revenue activities in the above areas, the functions of the officers heading them as aforesaid will be as under :

Action by Revenue Department

i) They will exercise the power of Commissioner for revenue matters in their respective areas.

Action by Fin. Deptt/ All Deptts.

ii) They will exercise powers of Heads of Departments in all administrative and financial matters.

Action by PWD/ Forest Deptts.

iii) The Divisional level officers i.e. Executive Engineers, DeputyConservators of Forests etc. will exercise technical powers to the extent of one step higher in their respective ladders. The Superintending Engineers/Conservators of Forests etc., working in these areas will exercise technical powers of the Chief Engineers/Chief Conservator of Forests etc., for works relating to these areas.

iv) There shall be no correspondence between the Deputy Commissioner/Additional Deputy Commissioner and the Heads of the offices in these areas and all the Heads of offices shall put up their files direct to the respective Deputy Commissioners/Additional Deputy Commissioners for orders.

Action by all Deptts. v) The Deputy Commissioner/Additional Deputy Commissioners will initiate A.C.Rs. of all Gazetted Officers working in their respective areas and send the same to the Head of the Department concerned for counter-signatures, who will further process the same in accordance with the Govt. order for getting the same finally accepted. The A.C.Rs. of non-Gazetted Govt. servants will be finally accepted by the Deputy Commissioners/ Additiona Deputy Commissioners of these areas.

5. I am accordingly to request that the above decisions may kindly be given effect with effect from 15.4.1988 and suitable action in this behalf be taken immediately.

[H.P. Govt., Personnel Deptt., letter No. Per (A-I) - B(2) - 9/85, dated the 11th April, 1988]

(d) I am directed to say that a proposal to introduce single-line administration in Dodra Kwar area of Shimla District has been under consideration of the Govt. for some time past. It has now been decided that single-line administration will be introduced in Dodra Kwar area under the over-all control and supervision of a Sub-Divisional Officer (Civil). Accordingly, necessary action to upgrade Dodra Kwar Tehsil to a Sub-Division and creation of the post of S.D.O. (Civil) and other essential posts is being taken separately. After the creation of the post of S.D.O. (Civil) and posting of an incumbent there, single-line administration will be introduced in Dodra Kwar area, the S.D.O. Civil) exercising the following powers :-

i) He will be considered as Head of the administrative machinery in Dodra Kwar area.

ii) There will be no correspondence between the Head of the Institutions/offices in Dodra Kwar area and District level officers. All Heads of the Institutions/Heads of Offices will submit their cases to the S.D.O.(C) for his orders, who will, if considered necessary, correspond with the District level officers.

iii) The A.C.Rs of all Gazetted officers and Heads of Offices/Institutions will be initiated by the S.D.O. (Civil) who will submit the same further to the Head of the Department for further necessary action. The A.C.Rs of non-Gazetted officials (other than the Heads of offices/institutions) will be submitted to the S.D.O. (C) for review and further transmission to the Head of the Department concerned.

iv) He will exercise powers of the Head of the office/Institution in the area both in administrative and financial matters.

The above arrangement will take effect from 15.4.1988. It is requested that immediate necessary action in this behalf may kindly be taken by all concerned.

[H.P. Govt., Personnel Deptt., letter No. PER (A-I)-B(2)-9/85, dated the 11th April, 1988]

(e) It has been decided by the Government that the following officers working in Tribal Areas in Himachal Pradesh will submit under advice to respective Divisional Commissioner and Deputy Commissioner, as the case may be, their tour programmes for approval of the Financial Commissioner (Tribal Development), Himachal Pradesh. These officers will also submit their leave applications to the appropriate authorities through the Financial Commissioner (Tribal Development), Himachal Pradesh :-

1. Resident Commissioner, Pangi, District Chamba
2. Deputy Commissioner, Lahaul & Spiti
3. Deputy Commissioner, Kinnaur
4. Additional Deputy Commissioner, Kaza

2. The above instructions may be followed by all concerned.

[H.P. Govt., Personnel Deptt., Order No. PER(A-I)-B(2)-9/85-II, dated the 26th June, 1990]

(f) उपरोक्त विष्य पर मुझे इस विभाग के समसंख्य पत्र दिनांक 11 अप्रैल, 1988 तथा इय सन्दर्भ मे समय समय पर जारी निर्दोशों का क्रम जारी रखते हुए यह कहने का निर्देश हुआ है कि हिमाचल प्रदेश के जन–जातीय क्षेत्रो मे इक्हरी प्रशासन प्रणाली को सुदृढ करने हेतु राज्य सरकार ने निम्नलिखित निर्णय किये है :

(1) वन मण्डलाधिकारियों/ उप वन अरण्यपालों/ अधिशासी अभियन्ताओं को 15 दिन तक अर्जित अवकाश स्वीकृत करने की शक्ति उपायुक्त/अतिरिक्त उपायुक्त/ आवासीय आयुक्त को होगी व 30 दिनों तक अरण्यपाल/अधीक्षण अभियन्ता को और 30 दिनों से अधिक सम्बन्धित विभागाध्यक्ष को होगी, परन्तु जब भी अवकाश सक्षम प्राधिकारी स्वीकृत करेंगें वे उपरोक्त सभी सम्बन्धित अधिकारियों को स्वीकृत आदेश की प्रतिलिपि अवश्य भेजेंगे।

(2) जन–जातीय क्षेत्रों में तैनात वन मण्डल अधिकारियो/उप वन अरण्यपालों एवं आधिशासी अभियन्ताओ की रिर्पोट जिलाधीश/अतिरिक्त जिलाधीश/आवासीय आयुक्त तथा अरण्यपाल/अधीक्षण अभियन्ता अलग–अलग फार्मा पर लिखेंगे। दोनों अलग–अलग रिर्पोट सम्बन्धित विभागाध्यक्षों को भेजी जायेंगी तथा विभागाध्यक्ष दोनो रिर्पोटो की समीक्षा करने उपरान्त सम्बन्धित सचिव को अग्रिम पुर्नरीक्षण एवं सरकार द्वारा निर्धारित निति अनुसार स्वीकृति हेतु भेजेगे। विभागध्यक्ष प्रचलित वार्षिक गोपनीय रिर्पोट के फार्म को तीन भागों में बांटेगा तथा रिपोर्टिग आधिकारी का फार्म पहला भाग होगा, पुर्नरीक्षण का दूसरा और स्वीकृति का तीसरा भाग होगा। पुर्नरीक्षण/स्वीकृति की मदें/कालम अलग–2 कागज पर बनाए जायेंगे ताकि उपायुक्त / अतिरिक्त उपायुक्त तथा

अरण्यपाल/अधीक्षण अभियन्ता द्वारा लिखि हुई रिर्पोट इकठ्ठी करके उन दोनों पर विचार भाग 2 और 3 में इकठ्ठा आ सके।

[हि० प्र० सरकार, कार्मिक विभाग, पत्र संख्या (नि-1) -बी (2)-9/85- खण्ड 3, दिनांक 3 जून, 1993]

(g) मुझे यह कहने का निदेश हुआ है कि राज्य के जन–जातीय क्षेत्रों मे लागू इकहरी प्रशासनिक प्रणाली को उचित ढंग से कार्यान्वियन करने हेतु सरकार ने यह निर्णय लिया है कि इन क्षेत्रों में तैनात आवासीय आयुक्त/उपायुक्त/अतिरिक्त उपायुक्त जब भी शिमला पधारे तो वे राज्य सरकार के सम्बन्धित सचिवों/विभागाध्यक्षों से निरन्तर मिलते रहा करें तथा जन–जातीय क्षेत्रों बारे जो भी कठनाइयां/समस्याएं हो जैसा कि रिक्त पदों का भरा जाना, स्थान्तरित हुए कर्मचारी/अधिकारी के प्रतिस्यानों का मामला हो या विकास की स्कीमो के कार्यान्वियन बारे हो, इन सभी मुददो पर पूर्ण विचार विमर्श करे ताकि इन क्षेत्रों में चल रहे विकास कार्य्रो में और तेजी लाई जा सके।

इसके अतिरिक्त जब भी राज्य सरकार के सचिव/विभागाध्यक्ष जन–जातीय क्षेत्रों में प्रवास पर जायें तब भी आवासीय आयुक्त उपायुक्त/अतिरिक्त/उपायुक्त उन्हें मिलते रहें और उपरोक्ता समस्याओं बारे विचार विमर्श के उपरान्त उन्हें सुलाझाने का प्रयास करें ताकि स्कीमों का कार्यान्वयन तीव्रता से होता रहें!

कृपया इन आदेशों का कड़ाई से पालन होना चाहिए।

[हि० प्र० सरकार, जन–जातीय विकास विभाग, पत्र सख्यां - टी० डी० (ए) 3-2/92, दिनांक 8 दिसम्बर, 1992]

(h) उपरोक्त विश्य पर ध्यान आयुक्त–एवं–सचिव, कार्मिक, हिमाचल प्रदेश सरकार के पत्र सख्या – का (नि–1) बी 2–9/85–खण्ड–3 दिनांक 3–6–1993 के सदंर्म में मुझे यह कहने का निर्देश हुआ है कि अधिशासी अभियन्ता/वन मण्डल अधिकारी 15 दिन के अधिक अवधि के अवकाश के प्रार्थना पत्र उच्च अधिकारीयों को सम्बन्धित उपायुक्त/आवासीय आयुक्त/अतिरिक्त उपायुक्त के माध्यम से ही भेजें !

कृपया इस और निजि ध्यान दें तथा अधीनस्थ अधिकारियों को इस बारे सूचित कर दें!

[हि0 प्र0 सरकार, जन–जातीय विकास विभाग, पत्र सख्या --टी0 डी0 (एफ) 5-6/90, दिनांक 25 नवम्बर, 1994]

(i) उपरोक्त विषय पर मुझे यह कहने का निर्देश हुआ है कि जन–जातीय सलाहकार परिश्द की 20वीं बैठक की कार्यवाही के अर्न्तगत जन–जातीय क्षेत्रों में स्थित निगमों तथा बोर्डों की इकाईयों को इकहरी प्रशासन प्रणाली के अन्तर्गत लाने का मामला काफी समय से सरकार के विचाराधीन रहा तथा इस मामले पर राज्य सरकार ने सभी तभ्यों पर गम्भीरता से विचार करने उपरान्त निर्णय लिया है:––

(1) जन–जातीय क्षेत्रों में स्थित निगम/बोर्ड की इकाईयों के मुख्य अधिकारी सम्बन्धित उपायुक्त/आवासीय आयुक्त/अतिरिक्त उपायुक्त को इन क्षेत्रों में आबंटित बजट के बारे समय–समय पर सूचित करेगें!

(2) इन क्षेत्रों में कार्यरत निगम/बोर्ड की इकाईयों के मुख्य अधिकारी मासिक और त्रैमासिक बैठकों में सम्बन्धित उपायुक्त/आवासीय उपायुक्त/अतिरिक्त उपायुक्त के कार्यालय में भाग लेंगें तथा अपने–अपने क्षेत्रों में प्रगति/समस्याओं के बारें उन्हें सूचित करेगें!

(3) इन क्षेत्रों में तैनात बोर्ड निगम के प्रभारी अपने प्रवास कार्यक्रम की प्रति सम्बन्धित उपायुक्त/आवासीय आयुक्त/अतिरिक्त उपायुक्त सूचर्नाथ प्रशित करेंगें!

(4) इसके अतिरिक्त इन क्षेत्रों में तैनात बोर्ड/निगम के प्रभारी अपने अर्जित अवकाश तथा आकस्मिक अवकाश के बारे में सूचना सम्बन्धित उपायुक्त/अतिरिक्त उपायुक्त/आवासीय आयुक्त को सूचनार्थ प्रेशित केरेगें!

[हि0 प्र0 सरकार, कार्मिक विभाग, पत्र संख्या - का0 नि–1 बी 2-9/85- खण्ड–I, दिनांक 24–10–1994]

(j) I am directed to refer to letter No. Karmik (Niyukit-II) A (6) -1/79 dated the 1st May, 1992 and letter No. Per (A-I) B (2) -9/85. Vol. II dated the 3rd June, 1993, on the subject cited above and to say that it has come to the notice of the Government that most of the employees working in tribal/difficult areas are sanctioned leave during the working season. Since the working season in these tribal/difficult areas is limited, proceeding on leave of the functional officers responsible for the implementation of the various development programmes and activities

in these areas indiscriminately is most undesirable. The Government has viewed very seriously this tendency of the leave sanctioning authority and has, therefore, decided that officers/officials working under the control of Deputy Commissioner, Lahaul & Spiti/Resident Commissioner, Pangi/Additional Deputy Commissioner, Kaza and Sub Divisional Officer (Civil) Dodra-Kawar, District Shimla may not be sanctioned any kind of leave during the working season i.e. from March till December except in exceptional circumstances. In such circumstances prior approval of Financial Commissioner-cum-Secretary (Tribal Development) to the Govt. of Himachal Pradesh or Chief Secretary to the Govt. of Himachal Pradesh may be obtained.

These Instructions "May please be complied with strictly in future.

[H.P. Govt., Personnel Deptt., letter No. Per (A-I) B (2)-9/85-Vol-IV, dated the 16th August, 1997]

CHAPTER II

General Principles and Rules

1. – HANDLING OF CASH AND RECORDING OF TRANSACTIONS CONNECTED THEREWITH

(I) General

2.1. (a) A person may tender moneys in payment of dues to Government either (a) to the concerned departmental officer by cheque, bank draft, postal order, or money order or in cash up to an amount exceeding Rs. 100 in each case or such higher amounts as they may be authorised to receive or (b) at the Treasury or the Bank.

(b) Every Government servant is personally responsible for the money which passes through his hands and for the prompt record of receipts and payments in the relevant account as well as for the correctness of the account in every respect. The private cash or accounts of members of the office or department should not be mixed up with the public cash or accounts.

Note 1.—All transactions involving giving or taking of stores, other properties, rights, priveleges, and concessions which have money values should be brought to account in some suitable form as soon as they occur.

Note 2.—The procedure laid down in Subsidiary Treasury Rules should be followed in the custody of cash.

A similar procedure should be followed in the case of bullion, jewellery and other valuables coming into the hands of Government servants in their official capacity. *See* also rule 3.7.

(c) In the departments which render accounts to the Accountant General, the form in which such accounts are rendered and the form in which the initial accounts, from which the accounts so rendered are compiled or on which they are based, are kept, are prescribed by the Comptroller and Auditor General of India. Likewise the outline of the system of accounts and the principles and methods of accounts (including classification of transactions in accounts) have been prescribed by the Comptroller and Auditor General of India and the directions in respect thereof are contained in Chapters 2 and 3 of Account Code, Volume I. Initial and Subsidiary Accounts Rules are contained in Appendix I to these rules

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1. Rule 2.1 (a) substituted *vide* H.P. Govt., F.D., Notification No. Fin. (C)-A(3)-7/76, dated the 21st May, 1976.

(II) Maintenance of Accounts – Cash Book

2.2. Save as otherwise expressly provided in these rules or in any authorised departmental regulations, the following rules shall be observed by all Government officers who are required to receive and handle cash : --

(i) Every officer receiving money on behalf of the Government should maintain a cash book in form H.P.F.R. I.

Note.— The cash book should be found in convenient volumes and the pages machine numbered. Before bringing a cash book into use, the head of office or the officer nominated by him should count the number of pages and record a certificate of count on the first page of the cash book.

(ii) All monetary transactions should be entered in the cash book as soon as they occur and attested by the head of the office in token of check.

(iii) The cash book should be closed regularly and completely checked. The head of the office should verify the totalling of the cash book or have this done by some responsible subordinate other than the writer of the cash book, and initial it as correct.

(iv) At the end of each month, the head of the office should verify the cash balance in the cash book and record a signed and dated certificate to that effect. The certificate should also be recorded on the monthly cash account, primary abstract or account current, where such account, abstract or account current is required to be submitted to the Accountant General. Such certificate must be signed by the head of the office who should invariably date the signature.

If, however, the head of the office is absent from headquarters at the end of a month, he may delegate the duty of verifying the cash balance to a gazetted Government servant, or, if there is no gazetted Government servant to his office Superintendent, Head Clerk or other similar ministerial official of corresponding rank; but he should personally verify the cash balance on his return to headquarters.

Note I.— Whenever, on the contents of the cash chest being counted, the balance as per cash book is found to be incorrect, it must, unless the error can be detected and set right at once under rule 2.40 be rectified forthwith by making the necessary receipt, or payment entry in the cash book. "To cash found surplus in chest" or "By cash found deficient in chest". The administrative action to be taken on the occurrence of a deficiency and the report to the departmental superior must depend on the nature of each case.

Note 2.--During the absence of the head of office from headquarters the duty of attesting the cash book may be entrusted to another gazetted officer subordinate to him, or if there be no such gazetted officer under him to his office Superintendent, Head Clerk, or other official of corresponding rank, but on his return he should satisfy himself that there is no irregularity and in token of this check, the head of office should sign the cash book immediately on return to headquarters.

(v) When Government moneys in the custody of a Government officer are paid into the treasury or the bank, the head of the office making such payments should compare the Treasury Officer's or the bank's receipt on the challan or his pass book with the entry in the cash book before attesting it, and satisfy himself that the amounts have been actually credited into the treasury or the bank. By the 15th of every month, he should obtain from the treasury a consolidated receipt for all remittances made during the previous month, which should be compared with the postings in the cash book.

Note.—The consolidated treasury receipts furnished by the Accountant General should be sent to the head of the office or a gazetted officer nominated by him by name and he should watch for the same. The head of the office should also arrange that such letters are really opened by himself or by the officer nominated by him.

(vi) An erasure or over-writing of any entry once made in the cash book is strictly prohibited. If a mistake is discovered, it should be corrected by drawing the pen through the incorrect entry and inserting the correct one in red ink between the lines. The head of the office should initial every such correction and invariably date his initials.

(vii) A Government officer who handles Government money should not, except with the special sanction of the head of the office, be allowed to handle also in his official capacity money which does not belong to the Government. Where under any special sanction, a Government officer deals with both Government and non-Government money in his official capacity, the Government money should be kept in a cash box separate from the non-Government money and the transactions relating to the latter should be accounted for in a separate set of books pertaining to the public account of the State.

(viii) The employment of peons to fetch or carry money should be discouraged. When it is absolutely necessary to employ a class IV servant for this purpose, a man of some length of service and proved trustworthiness should only be selected and, in all cases, when the amount to be handled is large, one or more guards should be sent to accompany the messenger.

Note.— The duties imposed by clauses (ii) to (vi) of this rule on head of office may be entrusted to a subordinate gazetted officer nominated by the head of the office for the purpose.

2.3. The counting should be made on the last working day of each month immediately after closing the cash account of the month, but where this is not possible, the cash balance may be counted on the first working day of the following month before any disbursement is made on that date.

Note 1.—The periodical verification of cash in Government treasuries and sub-treasuries is governed by the rules in the Subsidiary Treasury Rules.

Note 2.—Cash drawn on pay, travelling allowance and contingent bills of establishment and undisbursed balances thereof should not be mixed with the permanent advance in the case of civil departments and the regular cash balance of the Public Works Department.

Note 3.—In offices having more than one chest, the actual balance of cash in each chest should be counted simultaneously. In the case of subordinate offices at out-stations the head of office or any other gazetted Government servant named by him will count it whenever he may visit them, and will record a note in the cash book, showing the date of examination and the amount (in words) found.

2.4. At the close of the day while signing the cash book, the head of the office should see that the departmental receipts collected during the day, the utilisation of which towards expenditure is strictly prohibited under the Treasury Rules (Himachal Pradesh) are credited into the treasury on the same day or on the morning of the next day at the latest and that there is a corresponding entry on the payment side of the cash book.

Note.— The consolidated treasury receipts furnished by the Treasury Officers, should be sent to the head of the office or a gazetted officer nominated by him by name and he should watch for the same. The head of the office should also arrange that such letters are really opened by him.

2.5. When a cheque is drawn by an officer in favour of self or order to replenish the cash chest, its amount should at once be entered as a receipt. This entry must not be delayed until the money has been received after the encashment of the cheque at the treasury.

For Public Works Department cheques, *see* also Article 78 of Account Code, Volume III.

2.6. All receipts, disbursements and charges of whatever sort connected with the public service must be, and no other may be, shown in the cash book. Sufficient details should be given in the column "particulars" to admit of the main points of each transaction being readily ascertained without reference to the detailed vouchers.

2.7. If a Government servant, who is not in charge of a cash book, receives money on behalf of Government at exceptional times, he should not mix it up with the imprest or any other cash in his charge, but pay or remit it, at the earliest opportunity, to the nearest Government servant having a cash book or direct to a treasury. The acknowledgement of the treasury (with an intimation of the full particulars of the receipt including the date of its realisation) should be forwarded immediately to the next superior officer having a cash book, to enable him to make the necessary entries therein. The record of the transactions will be in the correspondence and not in the impest or other cash account of the receiving officer.

H.P. GOVT. ORDER

(1) Settlement of Audit objections - Procedure regarding maintenance of treasury challans and their accountal. – I am directed to say that one of the departments suggested that the old audit objections be dropped by Audit Office without insisting for production of original attested copies of treasury challans where a certificate is given by the assessing authority/head of office that the recovery of Government revenue as pointed out by Audit has been made and credited into Government account indicating the number and date of treasury challan only. This has been acceded to by Audit as a special case.

However, to streamline the working and avoid such situation, it has been decided that with effect from 1.4.1987, all the assessing authorities/Drawing and Disbursing Officers/heads of the offices in the State shall maintain a register in the enclosed form in their respective offices and enter all the treasury challans therein in chronological order, keep the challans so entered in the register handy and get the same verified at the time of regular audit from local audit party of Accountant General office as and when the audit party visit their offices.

In order to have uniform procedure in all the departments and ensure strict compliance thereof, it is requested that suitable instructions may be issued to all concerned under your control to ensure compliance of this procedure which will be effective from 1st April, 1987. This register will be part and parcel of the auditable record.

Please acknowledge receipt.

[H.P. Govt., F.D., letter No. Fin.(D)(C)15(b). 3/82-II, dated the 21st February, 1987]

Proforma of Register

Sr. No.	Year	Date of Deposit	Name of the treasury	Amount of challan	Recovery on account of	Name of the party from whom received	Para No.	Year of Audit & Inspection Note	Signature of the assessing Authority/ Drawing and Disbursing Officer.
1	2	3	4	5	6	7	8	9	10

Note: (i) Sr. No. should be started afresh from 1 st April each year. Entries in the register should be made strictly in accordance with the dates of recovery of tax/over-payment and its deposit in the treasury.

(ii) In column No. 6, the name of tax/duty/over-payment alongwith details of the facts representing such recovery should be given. The entries in the register must be attested by the Assessing authority/drawing & disbursing officers concerned daily.

[Enclosure to H.P. Govt., F.D. letter No.Fin (D)(C) 15(b)/3-82-II, dated the 21st February, 1987]

II – PRMANENT ADVANCES AND IMPREST ACCOUNTS

2.8. Government officers who are to make payments for contingent expenditure before they can place themselves in funds by drawing contingent bills on the Treasury may make such payments out of the permanent advance or imprests which they may be permitted to hold under the orders of competent authority, subject to the recoupment on presentation of contingent bills. All such claims upto Rs. 50 may be disbursed out of the permanent advance or imprest. The grant of permanent advance or imprests is subject to the following rules : - -

(1) The amount of advances will be fixed by the Administrative Departments upto the amount advised by the Accountant-General.

(2) Heads of Departments and Commissioners of Divisions may unless a competent authority otherwise directs, sanction the grant of permanent advances for offices subordinate to them, upto the amount advised as appropriate by the Accountant-General. The permanent advances for the offices of the Heads of Departments and Commissioners of Divisions must, however, be sanctioned by the next superior administrative authority or other competent authority :

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1. First two sentences of Rule 2.8 substituted *vide* H.P. Govt., F.D. Notification No. fin (C)-A(3)-7/76, dated the 21st May, 1976.

Provided that the Deputy Directors of Education shall be competent to accord sanction for the fixation or refixation of permanent advance in respect of the offices or institutions falling under their jurisdiction.

(3) Applications for the grant or revision of a permanent advance must be submitted to the sanctioning authority through the Accountant General who will advise as to the appropriate amount of the advance. In cases falling under sub-clauses (1) and (2) above, if there is any difference of opinion between the Accountant-General and the sanctioning authority on this point, the matter should be referred for the order of the competent authority.

Note.— The applications for permanen advances should be accompanied by a statement showing month by month for the preceding 12 months, the amounts of contingent bills cashed, with classified details of items of expenditure.

(4) As these advances involve the permanent retention of money outside the treasury, they must not be larger than is absolutely essential.

(5) The advances should not be multiplied unnecessarily.

Note.— An officer's advance should meet the needs of every branch of his office. If he has subordinates who require petty sums, he should spare a small portion of his own advance for their use rather than apply for separate advances for them, taking acknowledgements from them in the same way as he himself furnishes to the Accountant General, and retaining them in his office.

(6) The advance is intended to provide, on the responsibility of the Government servant entrusted with it for emergent petty advances of all kinds, though it is seldom that they will be needed for other than contingent charges, thus, if a class IV servant is required to travel by rail on Government business his actual fare may, if so considered necessary, be advanced from this amount.

Note 1.—See also note 8 below clause (a) of rule 10.26

Note 2.—Advances may be of the actual railway fare or/and road mileage out of the permanent advance to all non-gazetted servants of the Police Department, but such advances and their repayment need not appear in Government accounts. Travelling allowance bills may be made out, once for all, for the full claims admissible as son as the journeys are completed and any advances made out of the permanent advance may be recovered out of the amounts drawn from the treasury on such travelling allowance bills.

Note 3.—See also note 2 below rule 2.3.

(7) In the case of transfer of charges and yearly on the 16th April, each Government servant holding a permanent advance most send an acknowledgement to the Accountant General of the amount due from and accountable for by himself as on 31st March, preceding. If this be not received the Accountant General will demand it immediately.

2.9. The holder of a permanent advance, or an imprest, is responsible for the safe custody of the money placed in his hands, and he must at all times be ready to account for the total amount of the money in vouchers or in cash.

Note.— Neither the permanent imprest which is intended for meeting urgent expenditure before funds can be drawn from the treasury against regular bills nor other Government moneys awaiting disbursement are available for temporary accommodation of any officer for private purposes. It is, therefore, imperative that Government moneys should not be mixed up in any way, with moneys which do not belong to Government.

H.P. GOVT. ORDERS

(1) Permanent Advance to be sanctioned in consultation with Finance Department instead of Accountant General.— The undersigned is directed to state that at present in accordance with the provisions of rule 2.8 of the Himachal Pradesh Financial Rules, 1971, Vol. I, permanent advances can be sanctioned by the Administrative Departments, Heads of Departments and other authorities mentioned therein on the advice of the Accountant General and in case of difference of opinion between the Accountant General and the sanctioning authority on any point the matter is referred for the orders of the Government.

2. The question of relaxing the condition regarding consultation with the Accountant General was receiving attention of the State Government so as to fall in line with similar relaxation made by the Government of India in respect of Central Government offices. Accordingly the Governor, Himachal Pradesh in consultation with the Accountant General, H.P. and Chandigarh, is pleased to decide that all Administrative Departments of the Government, Heads of Departments and other authorities vested with the powers to sanction the permanent advances under the aforesaid rule, will be empowered to exercise full powers, in consultation with the Finance Department to decide all matters relating to the fixation of the amounts of permanent advances in respect of offices/organisations subordinate to them. While fixing the quantum of permanent advance, the sanctioning authority should take into account not only the remaining conditions laid down in 2.8 of the H.P.F. Rs. 1971, but also the following : –

(a) the sanctioning authority should bear in mind that the advance should not be larger than is absolutely necessary;

(b) the advance should be based on the average monthly contingent expenditure of the office for the preceding twelve month;

(c) normally, it should be assumed that the advances would be recouped at least twice a month and so the amount sanctioned should not exceed half the amount of the average monthly contingent expenditure calculated as in (b) above; and

(d) copies of sanctions alongwith statement of expenditure for the preceding twelve months showing the amount of contingent bills cashed with classified details of items of expenditure should be furnished to the Audit/Accountant General.

3. Necessary formal amendments to rule 2.8 of the Himachal Pradesh Financial Rules, 1971, Vol. I will issue separately in due course.

4. These orders will take effect from 1st November, 1976.

5. All Administrative Departments of the Government are requested to bring these orders to the notice of all concerned.

[H.P., Govt., F.D., O.M. No. Fin. (C) A(3)-7/76, dated the 18th November, 1976]

(2) Acknowledgements of Permanent Advances to be sent to the next higher authority above the sanctioning authority as well as to Finance Department instead of Accountant-General. - (a) The undersigned is directed to invite a reference to sub-rule (7) of rule 2.8 of the Himachal Pradesh Financial Rules, 1971, Vol. I, which provides that in the case of transfer of charges and yearly on the 16th April, each Government servant holding a permanent advance must send acknowledgement to the Accountant General of the amount due from and accountable for by himself as on the 31st March preceding. If this be not received, the Accountant General will demand it immediately.

2. Consequent upon the acceptance of recommendation 2(I) of the Administrative Reforms Commission's Report on Treasuries, the Government of India have liberalised the provisions of their rules on the subject. The question of following a similar procedure in Himachal Pradesh was receiving attention of the State Government for some time past. Accordingly, the Governor, Himachal Pradesh in consultation with the Accountant General, Himachal Pradesh and Chandigarh, is pleased to decide that in the case of transfer of charges and yearly on the 5th April, each officer in whose favour the permanent advance is sanctioned shall send an acknowledgement of the amount due from and accountable for by himself as on 31st March preceding, to the authority which sanctioned the permanent advance, viz., the Administrative Departments and Heads of Departments, as the case may be, and the said authority will maintain suitable records to watch receipt of such acknowledgements.

3. Necessary formal amendments to rule 2.8 of the Himachal Pradesh Rules, 1971, Vol. I will issue separately in due course.

4. This decision will take effect from the 1st April, 1977.

5. All Departments of the Government/Heads of Departments are requested to bring this decision to the notice of all concerned.

[H.P. Govt., F.D., O.M. No. Fin(C)-A(3) 7/76, dated the 18th November 1976]

(b) The undersigned is directed to invite a reference to this Department Memorandum of even number, dated the 18th November, 1976, delegating full powers to sanction of permanent advances and to say that the Accountant General, Himachal Pradesh & Chandigarh has reported that the acknowledgements to the permanent advances are still being received in the Audit & Accounts office, whereas the same should now be supplied to the next higher authority above the sanctioning authority of permanent advances. It is accordingly requested that sending of the acknowledgements to the Accountant General, Himachal Pradesh & Chandigarh may be discontinued and the same may invariably be supplied to the next higher authority as also to this Department.

[H.P. Govt. F.D., O.M. No. Fin.(C)-A(3)7/76, dated the 30th May, 1977

III – PAYMENTS

(A) General Principles and Restrictions relating to Expenditure

2.10. (a) Every Government servant incurring or sanctioning expenditure from the revenues of the State should be guided by high standards of financial propriety. Each Head of Department is responsible for enforcing financial order of strict economy at every step. He is responsible for the observance of all financial rules and regulations both by his own office and by subordinate disbursing offices. Among the principles on which emphasis is generally laid are the following : - -

(1) Every Government servant is expected to exercise the same vigilance in respect of expenditure incurred from public money as a person of ordinary prudence would exercise in respect of the expenditure of his own money.

(2) The expenditure should not be *prima facie* more than the occasion demands.

(3) Money borrowed on the security of allocated revenues should be expended on those objects only for which money is borrowed.

(4) No authority should exercise its powers of sanctioning expenditure to pass an order which will be directly or indirectly to its own advantage.

(5) Government revenues should not be utilised for the benefit of a particular person or section of the community unless--

(i) the amount of expenditure involved is insignificant, or

(ii) a claim for the amount could be enforced in a court of law, or

(iii) the expenditure is in pursuance of a recognised policy or custom

(6) No authority should sanction any expenditure which is likely to involve, at a later date, expenditure beyond its own powers of sanction.

(7) The amount of allowances, such as travelling allowance, granted to meet expenditure of a particular type, should be so regulated that the allowances are not on the whole the sources of profit to the recipients.

(b) In addition to compliance with the canons of financial propriety enunciated above, the authorities incurring expenditure should further see -

(1) that special or general sanction of the competent authority for the expenditure exists [*vide* rules 17.2(1) and 17.5(b)];

(2) that necessary funds to cover the charge exist, that expenditure does not exceed these funds, that the authority incurring the expenditure will be responsible for any excess over the sanctioned funds and the expenditure in anticipation of funds is incurred only in authorised cases [*vide* rules 17.2(2), 17.5(a) and 17.12 to 17.14];

(3) that all charges incurred are drawn and paid at once and are not held up for want of funds and allowed to stand over to be paid from the grant of another year; that money indisputably payable should not, as far as possible, be left unpaid; and that all inevitable payments are ascertained and liquidated at the earliest possible date;

(4) that money actually paid is under no circumstances kept out of account a day longer than is absolutely necessary;

(5) that no money is withdrawn from the treasury unless it is required for immediate disbursement or has already been paid out of the permanent advance and that it is not permissible to draw advances from the treasury for the execution of works the completion of which is likely to take a considerable time.

H.P. GOVT. ORDERS

(1) *Circumstances in which a Government servant should not, in his official capacity, deal with a matter or give or sanction a contract. – (a) *Provisions of Conduct Rules.* – No Government servant shall in the discharge of his official duties deal with any matter or give or sanction any contract to any *(undertaking) or any other person if any member of his family is employed in that *(undertaking) or under that person or if he or any member of his family is interested in such matter or contract in any other manner and the Government servant shall refer every such matter or contract to his official superior and the matter or contract shall thereafter be disposed of according to the instructions of the authority to whom reference is made.

[Rule 4(3) of C.C.S. (Conduct) Rules, 1964]

(b) In continuation of the provision contained in this Ministry's O.M. No. 25/43/55-Ests. (A), dated 19-1-1956 *(Not printed)*, it has further been decided that whenever a proposal arises for the award of a contract or exercise of patronage in favour of any firm in which a son, daughter or a dependent of an officer is employed, this fact should be declared by the officer concerned and he should thereafter desist from dealing with the case himself. In such circumstances, a recommendation should be made that the case should be decided by another officer of equivalent or superior standing.

[G.I., M.H.A., O.M. No. 24/43/56-Ests(A), dated the 26th May, 1957]

(2) Government servant who is office bearer or member of Executive Committee of Service Association not to deal, in his official capacity, with matters connected with that Association. – Reference Home Ministry's O.M. No. 24/23/57-Ests.(B), dated the 3rd March, 1959 *(Not printed)*, on the above subject, a point has been raised whether after the promulgation of the Central Civil Services (Recognition of Service Associations) Rules, 1959, the convention that an officer who may be required to deal in a responsible capacity with representation from a Service Assocition, should not be an office-bearer or a member of the Executive Committee of that Association would continue to be observed. It has been decided that any Government servant who is an office-bearer or a member of the Executive committee of a Service Association, should not himself deal in his official capacity with any representation or other matters connected with that Association.

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* The word "undertaking" has been substituted by the words "company or firm" *vide* G.I., Deptt. of Personnel, Notification No. 25/19/74-Ests(A), dated the 30th June, 1976, but it is not known whether H.P. Govt., Personnel Deptt. has adopted/circulated this amendment or not. *Compiler.*

[G.I., M.H.A., O.M. No. 24/1/60-Ests.(B), dated the 25th January, 1960]

(3) Performance of official duties and exercise of powers - Government servant to act in his best judgement except when acting under his official superior's direction, which if oral, should be confirmed/got confirmed in writing. – (a) Rule 3.2 (ii) of the C.C.S. (Conduct) Rules, 1964, provides that when a Government servant acts under the directions of his official superior, he should obtain the direction in writing whenever practicable and where it is not practicable he shall obtain written confirmation of the direction as soon thereafter as possible. Clearly, it is the duty of the superior officer giving a direction to confirm it in writing when such confirmation is sought by his subordinate. It is not open to the superior to refuse to confirm in writing the directions given by him orally, just as it is open to him to state immediately that no such direction was given.

[Extract from G.I., Deptt. of Per & A.R., O.M. No. 11013/18/76-Est.(A), dated the 7th February, 1977]

(b) Recently the practice adopted by the senior officials and the personal staff of the Ministers in conveying oral instructions to their subordinates has been brought to the notice of the Department of Personnel and A.R. It has further been suggested to this Department that the role of oral instructions in the transaction of the business of the Government has to be defined and definite guidelines set down. The matter has been carefully examined and the Government has taken the decisions contained in the succeeding paragraphs.

3. The role of oral instructions in the transaction of business of Government has already been specified under sub-rule 2(ii) of Rule 3 of the C.C.S. (Conduct) Rules, 1964, which *inter alia* provides as follows :-

> "No Government servant shall, in the performance of his official duties or in the exercise of powers conferred on him, act, otherwise than in his best judgement except when he is acting under the direction of his official superior and shall, where he is acting under such direction, obtain the direction in writing, wherever practicable, and where it is not practicable to obtain the direction in writing he shall obtain written confirmation of the direction as soon thereafter as possible."

The purpose of this rule is that there shall be on record a written direction from the authority under whose orders the relevant decision or action is taken. It follows from this that where action is taken in accordance with the direction of the Minister, it would be the responsibility of the Secretary to obtain such direction in writing before further action is taken or where this is not practicable to seek confirmation thereof immediately thereafter.

3. Clarificatory instructions were issued *vide* this Department's O.M. No. 11013/18/76-Estt(A), dated 7.2.1977 to the effect that it is the duty of the superior official giving direction to confirm it in writing when such confirmation is sought by his subordinates. It is not open to the superior officer to refuse to confirm in writing the direction given by him orally, just as it is open to him to state immediately that no such direction was given.

4. In the light of the aforesaid provisions of the Conduct Rules, and the instructions issued thereunder, it is impressed upon all Government servants that :- -

(i) oral instruction should not, as far as possible, be issued by senior officers to their subordinates:

(ii) if the oral instructions are issued by any senior officer they should be confirmed in writing immediately thereafter;

(iii) if a junior officer seeks confirmation to the oral instructions given by the senior, the latter should confirm it in writing whenever such confirmation is sought;

(iv) a junior officer who has received oral orders from his superior officer should seek confirmation in writing as early as practicable:

(v) whenever a member of the personal staff of a Minister communicates an oral order on behalf of the Minister, it should be confirmed by him in writing immediately thereafter;

(vi) if a junior officer receives oral instructions from the Minister or from his personal staff and the orders are in accordance with the norms, rules, regulations or procedures, they should be brought to the notice of the Secretary or the Head of the Department, as the case may be, for information;

(vii) if a junior officer receives oral instructions from the Minister or from his personal staff and the orders are not in accordance with the norms, rules, regulations or procedures, he should seek further clear orders from the Secretary or the Head of the Department, as the case may be, about the line of action to be taken, stating clearly that the oral instructions are not in accordance with the rules, regulations, norms or procedures.

5. Since the personal staff of Ministers whether belonging to organised services or otherwise are governed by the provisions of the Conduct Rules, 1964, they are required to observe the orders outlined in the preceding paragraph.

6. Ministry of Finance etc. are requested to give wide publicity to these orders amongst the Government servants working in the main Ministry and their attached subordinate and field offices.

[G.I., M.H.A., O.M. No. 11013 12 78-Ests.(A), dated the 1st August, 1978]

(4) Noting on files - Conclusions reached during discussions to be recorded and confirmed by participants - Verbal orders to be also recorded and confirmed. – (a) Where a file is being submitted on the basis of verbal orders or directions given by an officer such directions, confirmed where necessary, should be recorded in the file in important matters.

[Para 14.6.2. (b) (iv) of H.P. Office Manual (2nd Edition)]

(b) All points emerging from discussions between two or more officers and the conclusions reached should be recorded on the file by the officer authorising action and where necessary confirmed by other participants.

[Extract from para 14.6.2 (b) (iii) of H.P. Office Manual (2nd Edition)]

(c) To ensure that decisions take into account all relevant information, all points emerging from discussions between two or more officers and conclusions reached should be recorded on the file by the officer authorising action and where necessary confirmed by the other participants. Similarly all verbal orders or instructions given by an officer and where necessary the circumstances leading to such orders or instructions, should be recorded on the file and in important matters should be confirmed.

[Extract from para 14.10.7 of H.P. Office Manual (2nd Edition)]

(5) Noting on cases/files - Procedure when there is difference of opinion.— (a) In cases where the Supervisory 'Officer finds that the note of the dealing hand on a case is incomplete or wanting in certain aspects or the suggestion of the dealing hand is not in order and he has different ideas/proposals/suggestions to make, then the Supervisory Officer may either call the dealing assistant for discussion and preparing a fresh note, but in case the dealing hand still holds his view, the Supervisory Officer may write his detailed note below the dealing hand's note, justifying his views. At the end of the note the Supervisory Officer has to submit alternative solutions with his particular suggestion for the best course of action and also indicate the level of the authority whose approval/orders are solicited.

If the Branch Officer holds the view that the course of action suggested is not proper and a different course of action is more appropriate, then he may either discuss the proposed course of action with the Supervisory Officer and ask him to write the proposed suggestion on the note if he so agrees or alternatively dictate/write his note giving reasons for taking a different view. In the first alternative the Branch Officer will cross the making to him and write on the note sheet "Discussed with .... Please add the suggestions as discussed" and mark the file to the Superintendent/Section Officer. In the second alternative the Branch Officer will cross the marking to him and dictate or write his note, marking it down to the Superintendent/Section Officer in case he is authorised to decide the case, or to mark the file to the next higher authorities whose approval/orders are to be obtained.

[Extracts from Chapter 9 of H.P. Handbook for Supervisory Officers]

(6) Confirmation of telegram..— In all cases post-copy of the telegram duly signed by the sender should be sent by post.

[Extract from para 12.9 (12) of H.P. Office Manual (2nd Edition)]

(7) Confirmation of telephonic communications.—Telephonic communications, wherever necessary, may be followed by written communications by way of confirmation.

[Extract from para 12.9 (17) of H.P. Office Manual (2nd Edition)]

(8) When the officer next below notices that the authority who passed the orders was not competent to take a decision.— (a) If it comes to the notice of the officer next below to the authority who has passed the orders that such authority was not competent to take a decision, it will be his responsibility to bring it to the notice of such authority through the Branch Officer/Middle-level officer in writing before complying with such order.

[Extract from para 14.4 (xvii) of H.P. Office Manual (2nd Edition)]

(b) If it comes to the notice of officer next below to the authority who has passed the order that the authority was not competent to take a decision, it will be his responsibility to bring it to the notice of such authority in writing before complying with those orders.

[Extract from para 14.6.3. of H.P. Office Manual (2nd Edition)]

(c) If it comes to the notice of the officer next below to the authority who has passed the order that the authority was not competent to take a decision, it will be his responsibility to bring it to the notice of such authority in writing before complying with those orders.

[Extract from para 14.10.7 of H.P. Office Manual (2nd Edition)]

(9) Government servants not to bid at auctions arranged by their own Departments.— A question has been raised whether a specific provision should be added to the C.C.S. (Conduct) Rules, 1955 regarding participation by Government servants in auctions of property owned or confiscated by Government. Even if the transaction is in fact free of any element of undue influence or dishonesty, the suspicion that all is not above board is bound to arise in cases where property sold at Government auctions is purchased by Government servants, particularly by buyers belonging to the same Ministry or Department as the one by which or under whose orders the auction is conducted. While, therefore, it may not be necessary to frame a specific Conduct Rule for the purpose, it is obviously undesirable for Government servants to bid at auctions arranged by their own Ministries or Departments. Any Government servant who does so would be regarded as indulging in conduct unbecoming of a Government servant within the meaning of the Conduct Rules.

The Ministry of Finance, etc. are requested to bring this to the notice of all Government servants under their control.

[G.I., M.H.A., O.M. No. 25 12 57-Ests.(A), dated the 21st January, 1958]

(10) Guidelines for Treasury Officers for authorising drawal of money in advance for incurring expenditure.— (a) It has come to the notice of the Government that the Treasury Officers, under Rule 15 of H.P. Treasury Rules, have been authorising drawal of money in advance for incurring expenditure. Such advances are not adjusted for long periods, which defeats the purpose of the rule *ibid*. In order to restrict such advances, the following guidelines are prescribed for Treasury Officers for strict compliance :- -

(i) The Treasury Officers may authorise advance drawal to the extent of Rs. 10,000 only for each Head of Office and no subsequent withdrawal of advance shall be permitted by him unless first advance is duly accounted for. The advance drawal should be permitted in exceptional circumstances for reasons to be recorded in writing.

(ii) Drawal of funds on proforma bills in anticipation of receipt of goods must not be entertained and should be treated as an advance bill.

(iii) Exceptions may be made in the following cases :-

a) In cases where approval of the Finance Department has been obtained.

b) For organising Family Planning camps.

c) For the purchase of cattle under the 20-point programme.

d) For expenditure required for conduct of Legislative Assembly/Lok Sabha.

Above instructions may please be brought to the notice of all offices under your control.

[H.P. Govt., F.D., O.M. No. Fin(C) A (9)-1/80, dated the 20th February, 1985]

(b) The undersigned is directed to invite a reference to this Department office memorandum of even number dated the 20th February, 1985 and to clarify that the Treasury Officers may authorise drawal of money for incurring expenditure if the bill is accompanied by one or more of the following documents : - -

(1) A railway Receipt indicating that the goods have been despatched.

(2) A pre-receipted bill

(3) A certificate by the Drawing Officer that the money is required for making payment for fertilizer, seeds, plant protection material and agricultural implements/inputs, which have already been distributed on subsidy.

In the above cases, drawal of money may not be treated as an advance as the goods have already been delivered or despatched.

In certain cases the terms of agreement stipulate that the payment for goods is to be made in advance before delivery or despatch of such goods. In such cases the Treasury Officers may authorise drawal of money in advance, provided bill for such an advance is accompanied by a copy (attested by the Drawing Officer) of terms of such an agreement.

This may please be brought to the notice of all offices under your control.

[H.P. Govt., F.D., O.M. No. Fin (C) A-(9)-1/80, dated the 22nd March, 1985 read with letter of even number, dated the 25th March, 1985]

(c) The undersigned is directed to invite a reference to this Deptt's O.M. of even No. dated the 20th February, 1985 and further clarifications issued *vide* O.M. of even No. dated 22.3.1985 and 25.3.1985 and to say that conditions for drawal of money in advance for incurring expenditure is relaxed to the following extent in so far as the Department of Agriculture, Himachal Pradesh is concerned :-

(i) Advance bill in respect of seeds being purchased from Seed Corporations may be allowed upto the value of actual orders placed.

(ii) For seeds being purchased from local farmers the Deputy Directors/Project Officers concerned can draw an advance of Rs. 50,000 only, which he will have to account for fully before second advance is drawn.

[H.P. Govt., F.D., O.M. No. Fin. (C)-A (9)-1/80, dated the 1st June, 1985]

(d) The undersigned is directed to invite a reference to this department's O.M. of even number dated the 20th February, 1985 and further clarifications issued *vide* O.M. of even numbers dated 22-3-1985, 25-3-1985 and 1-6-1985 and to say that instructions on drawal of money in advance for incurring expenditure is relaxed in respect of Tribal areas of the Pradesh only, in so far as the expenditure under draught relief scheme by the respective Deputy Commissioners is concerned, subject to the condition that second advance is drawn only when the first advance is fully accounted for.

[H.P. Govt., F.D., O.M. No. Fin (C)-A(9)-1/80, dated the 5th February, 1986]

(e) The undersigned is directed to invite a reference to this Department's Office Memorandum of even number dated the 20th February, 1985 and further clarifications issued *vide* O.M. of even numbers dated 22.3,1985, 25.3.1985, 1.6.1985 and 5.2.1986 and to say that instructions of drawal of money in advance for expenditure is relaxed in so far as the expenditure under the relief measures necessitated by natural calamities and local construction/improvement works through the Deputy Commissioners are concerned.

[H.P. Govt., F.D. O.M. No. Fin(C)-A(9)-1/80, dated the 10th March, 1986]

(11) Moneys withdrawn from Consolidated Fund, Contingency Fund and Public Account not to be deposited in a bank or Post Office Savings Bank without special permission of the Government.— See Rule 9 of H.P. Treasury Rules and Rule 2.2 of H.P. Subsidiary Treasury Rules.

(12) Responsibility of drawing officer to see that undisbursed funds are either repaid into treasury or adjusted by short drawal in next bill(s) and are not retained in hand longer than is absolutely necessary or is permissible under rules.— See Rule 6.2 of H.P. Subsidiary Treasury Rules.

(13) Drawal of funds when not required for immediate disbursement and keeping the same in cash chest amounts to temporary embezzlement and invites disciplinary action and entry in A.C.R..— (a) In continuation of this department letter No. Fin(D)(C)(A) 15-11/78, dated the 29th October,. 1979, on the subject cited above, I am directed to say that despite instructions issued by the Finance Department from time to time, instances continue to come to the notice of Government where funds which were not needed for immediate disbursement were drawn from treasuries by the departments. The Administrative Departments are already aware of the fact there has been a spate of audit paras in respect of irregularities committed by the Departments concerned in having drawn funds from the treasuries which were not needed for immediate disbursement. As already emphasised, no funds should be drawn from the treasuries unless these are required for immediate disbursement or payment, under the rules. Likewise, no funds should be drawn from the treasuries for making payments in advance in respect of supplies which may not be received for months or even a year. With a view to obviate the chances of audit objections or inclusion of such irregularities in the C.A.G's reports in future, it is once again mphasised that the drawal of funds in advance of actual requirements for disbursement or payments, unless in any case permissible under the rules / Government orders, may render the official/officer of the department concerned liable for fixation of responsibility which may lead to suitable action being taken against him by the departmental authorities concerned. The Administrative Departments are requested to bring these instructions to the knowledge of the authorities subordiante to them.

2. The receipt of this letter may kindly be acknowledged.

[H.P.Govt., F.D., letter No. Fin(I)(D)(C)(A) 15-27/78, dated the 19th March, 1980]

(b) मुझे उपरोक्त विषय पर यह कहने का निदेश हुआ है कि लोक लेखा समिति के 77वें प्रतिवेदन (छठी विधान सभा) जो शिक्षा विभाग से सम्बन्धित है तथा भारत के नियन्त्रक महालेखा परीक्षक वर्ष 1982 तथा 1983-84 के प्रतिवेदनों के पैरा 2.7 पर आधारित है निम्नलिखित अभिमत प्रकट किया है:—

> विभागीय उत्तर (परिशिष्ठ-1) का अवलोकन करने से मालूम हुआ है कि सरकार की स्वीकृति 27 मार्च, 1980 को 1,35,999. रूपये के भुने हुए चने क्रय करने हेतु प्राप्त हुई। उत्तर में यह बात भी देखने में आई कि 31 मार्च, 1980 को राशि सरकारी खजाने से निकाल कर डाप्ट की शक्ल में रखी गई तथा 23 अगस्त, 1983 में इस राशि को सरकारी खजाने में वापिस जमा करवाया गया।
>
> समिति का यह भी मत है कि वित्त विभाग ने ढील बरती है। 27-3-1980 को स्वीकृति दी गई है, उन्हें मालूम था कि 3-4 दिन के अन्दर-अन्दर स्वीकृति (सैंक्शन) के अनुसार व्यय (एक्सपैंन्डीचर) नही हो सकता था ऐंसी सूरत में जाहिर था कि यह राशि लैप्स होने से बचाने के लिए खजाने से निकाली जाएगी।

एक और तो वित्त विभाग विभागों को सूचित करता है कि पैसा सरकारी खाजाने से तभी निकाला जाए जब वह तुरन्त अदायगी के लिए दरकार हो। अनावश्यक व्यय (लैप्स) होने से बचाने के लिए किसी सूरत से निकालना (विदडावल) नहीं चाहिए और उसके विपरीत स्वंय वित्तीय वर्श के अन्तिम दिनों में मन्जूरी जारी करते है। समिति यह मामला वित्तयुक्त एंव सचिव (वित्त) के निजि ध्यान में लाने की सिफारिश करती है कि वह पूरी छानबीन करके एक मास के भीतर विस्तृत रिपोर्ट समिति को प्रस्तुत करें। 1,36,000/– रूपये की राशि तीन वर्षा से या अधिक समय तक बैंक ड्राप्ट की शक्ल में पड़ी रही। इससे किस को लाभ हुआ, बैंक को और धाटा हुआ सरकार को क्योंकि यह राशि सेविंग एकाउंट में ही रखी जाती तो 20 हजार से अधिक ब्याज मिलता। जरूरत से पहले पैसा निकालने की प्रवृति को रोकने के लिए समिति सिफारिश करती है कि यह राशि ज़ो भी अधिकारी अथवा अधिकारीगण जिम्मेवार ठहराया जाए उनसे वसूल की जाए और समिति को इसकी सूचना/उत्तर दो महीने के अन्दर भेज दिए जाएं!

2. वित्त विभाग द्वारा पिछले कई वर्षो से यह ध्यान रखा जा रहा है कि मार्च के अन्तिम सप्ताह में स्वीकृति जारी न की जाए और समय–समय पर समस्त विभागों को हिदायतें जारी करता रहा है कि सरकारी कोश से धनराशि केवल उसी अवस्था में निकाली जाए जब इसके उपयोग की तत्काल आवश्यकता हों । लेकिन इसके विपरीत विभागों का यह रवैया ठीक नही है कि वह वित्तीय वर्ष के अन्तिम दिनो में स्वीकृति की आड़ लेकर धनराशि निकाल कर अनिश्चित समय तक अपने पास रखते है जो वित्तीय नियमों का स्पप्ट उल्लघंन है।

3. अतः आप से पुनः अनुरोध किया जाता है कि इस प्रवृति को बदले ओर ऐसे योजनाबद्ध तरीके अपनाए जिससे सरकारी कोप से निकाली गई धनराशि का सही ढ़ंग से उपयोग हो सके! ऐसें कार्यों के लिए जिसके निप्पादन में काफी समय लगता हो अग्रिम धनराशि निकालना वर्जित है। इसके बावजूद जो भरी अधिकारी/कर्मचारी इस कोताही के लिए दोषी पाए जाए उनके विरूद्ध कार्यावाही की जाए और उनकी वार्षिक गोपनीय रिपोर्ट में इसका इन्द्राज किया जाए।

कृपया पावती सूचना भेजें।

[H.P. Govt., F.D., letter No. Fin (D) (E) (5) (A) 23/85, dated the 14th March, 1989]

(c) The Public Accounts Committee in their 12th report (6th Vidhan Sabha) based on the C.A.G. of India report (Civil) for the year 1982-83, have observed as under:-

विभागीय उत्तर (ब्योरा परिशिष्ट 'क') में बताया गया है कि राशि को सरकारी कैश चैस्ट में रखा गया समिति के विचार में उचित नहीं है। सरकारी राशि को निजि रूप से रखना एक प्रकार का गबन है। इसके अतिरिक्त बैंक डाफट बनाने से भी तो सरकार को लाभ नहीं हुआ । समिति को खेद के साथ व्यक्त करना पड़ रहा है कि ऐसी गलतियों को बार–बार पून्यावृत किया जा रहा है तथा सरकार इस ओर जरा भी ध्यान नहीं दे रही है! समिति के विचार में ऐसे मामलो में जिम्मेदारी निर्धारित की जानी चाहिए। समिति यह चाहती है कि सचिव (वित्त) इस प्रसंग में सभी विभागों को निर्देश जारी करे। किसी भी मामले में राशि को निजि रूप से ना रखा जाये तथा बैंक डाफट भी बनाया जाये तो उसको ज्यादा से ज्यादा 6 मास तक रखा जाये इसके उपरान्त रखने की आवश्यकता समझी जाये तो सचिव (वित्त) से अनुमति प्राप्त की जाये। यदि फिर भी कोई लापरवाही करता है तो उसके गोपनीय चरित्र प्रतिवेदन में अन्दराज किया जाये। समिति यह भी चाहती है कि इस मामले मे भी जिम्मेदारी निर्धारित की जाये तथा की गई कार्यावाही से समिति को भी अवगत कराया जाये।

The observations of the PAC are brought to your notice for necessary action. As is clear from the observations, the PAC has taken a serious view of the tendency of the departments to draw Govt. money and to keep the same in the cash chest which amounts to temporary embezzlement. The Hon'ble Committee have, therefore, observed that such defaults on the part of any Govt. servant should be viewed seriously and not only responsibility be fixed for this lapse but entry to this effect should also be made in the annual confidential report of the individual concerned.

It is therefore, requested that these instructions may kindly be brought to the notice of all Heads of Offices under your control emphasising upon them the necessity of strict adherence thereto.

Further, you are requested to intimate total number of cases of temporary embezzlement detected so far and action taken thereon.

Please acknowledge receipt.

[H.P. Govt., F.D., letter No. Fin(D)(E)-5(a)34/84, dated the 21st September, 1985]

(d) I am directed to say that the Hon'ble Public Accounts Committee has recommended that no amount should be withdrawn from the treasury unless it is required for immediate disbursement. In this behalf your attention is invited to sub para (b) of Rule 2.10 of the H.P.F.R., Vol. I whereunder it has been clarified that no amount is to be withdrawn from the treasury unless it is required for immediate disbursement or has already been paid out of the permanent advance. It is not permissible to draw advances from the treasury for the execution of works the completion of which is likely to take considerable time. You are requested to adhere to the above rule strictly in future. Action may be taken against the D.D.Os. who do not adhere to the provisions of the aforesaid rule. Kindly acknowledge receipt of this letter.

[H.P. Govt., F.D., letter No. Fin-2-D (5) 1/90, dated the 8th February, 1994]

उपरोक्त विषय पर मुझे यह कहने का निदेश हुआ है कि लोक लेखा समिति ने इसे बहुत गम्भीरता से लिया है कि वित्तिय नियमों का अनुपालन कठोरता से नहीं किया जाता तथा वित्तिय नियमों के अनुसार खजाने से कोई धनराशि तब तक नही निकाली जा सकती जब तक तत्काल वितरणार्थ अथवा स्थाई निधियों से वितरण करने पर प्रतिपूर्ति हेतु आपेक्षित ना हो! अतः इस पर तुरन्त अंकुश लगाया जाए!

अतः आप से अनुरोध है कि वित्तीय नियमों का सखती से अनुपालन किया जाए ताकि इस प्रकार की अनियमितता पुनः ना दोहराई जा सके।

[H.P. Govt., F.D., letter No. Fin-F-1 (D)7-1/86, dated the 11th July, 1996]

(B) Drawal of Money from the Treasury

(i) Bills

2.11. Detailed rules regarding the preparation of bills on which the different classes of charges are drawn, and regarding the method of obtaining money from the treasury whether by bills or by cheques, are laid down in the Subsidiary Treasury Rules.

(ii) Cheques

2.12. All payments, which Government servants authorised to draw cheques have to make, should, as far as possible, be made by cheques, but *see* also rule 2.15.

2.13. The following rules relate to cheques.—

(a) Cheque books required by disbursing officers authorised to draw on treasuries and sub-treasuries should be obtained by them direct from the head treasury concerned; cheque books required for use on the bank, are also obtained from the Treasury Officers, and not from the bank. The Treasury Officer shall supply a cheque book only on receipt of the printed requisition which is inserted in cash book towards the end, and never more than one cheque book shall be supplied on a single requisition. The requisition must be signed by the officer authorised to draw on the treasury Cheque books shall on receipt, be carefully examined by the drawing officer who should count the number of forms contained in each and record a certificate of count on the flyleaf.

(b) Cheques from books obtained from a particular treasury should not be drawn on other treasuries or sub-treasuries of other districts. Before a cheque book is brought into use, all the cheque forms in it shall be marked by a distinguishing letter. Cheques drawn by a drawing officer on a particular treasury shall be dintinguished by a different letter from those drawn by this subordinate officers against his drawing account on the treasury and also from those drawn by himself on any other treasury or sub-treasury.

(c) A separate cheque book should be used for each head treasury or sub-treasury. Each cheque book must be kept under lock and key in the personal custody of the drawing officer, who when relieved should take a receipt for the correct number of cheques made over to the relieving Government servant. The loss of a cheque book or a blank cheque form shall be notified promptly to the Treasury Officer with whom the disbursing officer concerned has a drawing account.

(d) No advice of the issue of any cheque need be sent to the treasury.

(e) When a Government servant is authorised to draw cheques on sub-treasuries, he should give notice to the Treasury Officer, from time to time, of the probable amount of his drawings on each sub-treasury in order that funds may be provided as far as possible. Cheques drawn on sub-treasuries should be distinguished by different numbers and letters from those drawn against the head treasury.

(f) Cheque-books containing unused "cheque forms" shall be cancelleld by writing the word "Cancelled" prominently across each cheque form and counterfoil, without signature of the drawing officer, and thereafter returned to the Treasury Officer concerned who shall destroy them by incineration in the presence of the Collector, after keeping a note of the fact in the relevant records of the treasury under proper attestation.

2.14 As a rule, no cheque should be drawn until it is intended to be paid away, and cheques drawn in favour of contractors and others should be made over to them by the disburser direct; but the disburser may be assisted in making disbursements by a cashier appointed for the purpose. The occasional delivery of cheques through a subordinate may be permitted at the discretion and on the responsibility of the disburser. In such cases, the subordinate should make no entry in any accounts which he keeps, as a payment made by cheque should appear in the cash account of the disbursing officer who draws the cheque, and the subordinate's record will be in his correspondence.

Note 1.—It is a serious irregularity to draw cheques and deposit them in the cash chest at the close of the year for the purpose of showing the full amount of the grant as utilised.

Note 2.—Whenever a cheque is drawn, and entered in the cash book, but not paid out on the day on which it is drawn, a note must be made in the cash book against that entry explaining why it has not been possible to delivery the cheque to the payee.

Note 3.—For payment to contractors through their bankers, see Subsidiary Treasury Rules.

2.15. As a general rule, cheques shall not be issued for sums less than ten rupees, unless it is permissible under the provisions of any law or a rule having the force of law for the disbursement of these and other charges which naturally are paid in cash, *e.g.*, the wages of labourers and of establishment charges directly to works, and value-payable postage, etc., it is permissible to draw money from time to time from the treasury by cheques to replenish the cash chest. Whether there is a guard or not disbursers must draw cheque for the minimum of cash actually required to meet current disbursements, and if it is found at any time that the balance in hand is larger than is required to meet the anticipated expenditure of the next month, or of the next fifteen days, if the treasury is not situated at an inconvenient distance, the surplus should be returned into the nearest treasury.

2.16. Cheques remain current for three months only after the month of issue. Thus a cheque bearing, date and time in January is payable at any time upto 30th April. If the currency of a cheque should expire owing to its not being presented at the treasury for payment within the period specified above, it may be received back by the drawer who should destroy it and issue a new cheque in lieu of it. The fact of the destruction and the number and date of the new cheque should be recorded on the counterfoil of the old cheque, and the number and date of old cheque that is destroyed should be entered on the counterfoil of the new one. The fact of the new cheque having been issued should be entered on the date of issue in red ink in the cash book but not in the column for payment, a note being made at the same time against the original entry in the cash book. *See* also Article 264 of Account Code, Volume III, in respect of cheques of the Forest Department.

2.17. When it is necessary to cancel a cheque, the cancelment should be recorded on the counterfoil, and the cheque, if in the drawer's possession, should be destroyed. If the cheque is not in the drawer's possession he must promptly request the Treasury Officer to stop payment of the cheque (*see* rule 2.18) and, on ascertaining that payment has been stopped, shall write back the entry in his cash book by exhibiting the amount of the cheque as a minus figure on the payment side in the "Bank of Treasury" column. A counter reference should be given in the cash book, against the original, to the second entry of the cheque. A cheque remaining unpaid from any cause for twelve months from the date of issue should be cancelled and its amount written back in a similar manner. *See* also article 262 of Account Code, Volume III, in respect of cheques of the Forest Department.

2.18. (i) If a Drawing Officer be informed that a cheque drawn by him has been lost, he shall address the Treasury Officer drawn on, forwarding for signature a certificate in the following form:-

> Certified that cheque No. ________dated ________for Rs. ________reported by (the drawing officer) to have been drawn by him on this treasury in favour of ____________________________has not been paid, and will not be paid if presented hereafter.
>
> ....Treasury
>
> The..................19.
>
> *Treasury Officer.*

(ii) If, after search through the lists of cheques paid, the Treasury Officer finds that the cheque has not been cashed, he will sign and return the certificate taking care to note the stoppage of the cheque.

(iii) The drawing officer on receipt of the certificate duly signed by the Treasury Officer shall enter in his account the original cheque as cancelled, and may issue another.

In respect of the cheques of the Forest Department, *see* also Article 263 of Account Code, Volume III.

H.P. GOVT. ORDER

(1) Superscription such as 'duplicate' etc. not to be written on the fresh cheque issued in lieu of cheque alleged to have been lost.— The undersigned is directed to state that it has been brought to the notice of the State Govt. by the Reserve Bank of India that the second cheque issued on the Bank is lieu of a cheque alleged to have been lost is often superscribed by the drawing officers with words, such as "duplicate issued in lieu of the lost one", "fresh cheque issued in lieu of the lost one", etc. and that the practice in this regard differs from office to office. Marking a cheque with a legend of this type will legally put the drawee Bank on an enquiry about the fate of the original cheque since the legend can be interpreted to mean that the drawee Bank shall pay the second cheque only if the original has not been paid by it. As, however, it is not the intention to cast any such obligation on the Bank after the procedure prescribed in rule 2.18 of the H.P. Financial Rules, Vol. I, 1971, has already been followed, it is clarified in consultation with the A.G., H.P. that in accordance with the provisions of rule 2.18 *ibid* superscriptions of the types referred to above should not be written on the second cheque issued either on the Bank or the Treasury in lieu of a cheque allege to have been lost.

[H.P. Govt., F.D., O.M.. No. 1-2/71 Fin. (Reg.), dated the 29th July, 1972]

2.19. If a cheque is issued by Government in payment of any sum due by Government and that cheque is honoured on presentation to Government's bankers, payment shall be deemed to be made:-

(a) If the cheque is handed over to the payee or his authorised messenger on the date it is so handed over, or

(b) If it is posted to the payee in pursuance of a request for payment by post, on the date on which the cover containing it is put into the post.

The rule applies *mutatis mutandis* to a cheque in payment of Government dues or in settlement of other transactions received and accepted in accordance with the provisions of Subsidiary Treasury Rules.

Note 1.- The provisions of clause (c) above apply *mutatis mutandis* to payment by Government by postal money-order or by any other recognised mode of remitting money by post.

Note 2.- Cheques marked as not payable before a particular date should not be charged to the accounts until the date on which they become payable.

(C) Vouchers For Departmental Payments

2.20. As a general rule, every payment, including repayment of money previously lodged with Government, for whatever purpose, must be supported by a voucher setting forth full and clear particulars of the claim and all information necessary for its proper classification in the accounts. As far as possible, the particular form of voucher applicable to the case should be used. Suppliers of stores and others should be encouraged to submit their bills and claims in proper departmental forms, but bills not prepared in such forms should not be rejected if they set forth the necessary details of the claims. In such cases, the additional particulars required should be added by the disbursing officer.

Note.— See also Subsidiary Treasury Rules.

2.21. Every voucher must bear a pay order, signed or initialled, and dated by the responsible disbursing officer, specifying the amount payable both in words and figures. All pay orders must be signed by hand and in ink.

Note.—Cashiers & others authorised to make disbursements on passed vouchers should make no payment without a proper pay order of the responsible disbursing officer recorded clearly in ink on the bill or other voucher . No payment should be made on a voucher or other bill unless it is signed by hand and in ink.

2.22. (1) Subject to the provisions of Subsidiary Treasury Rules every voucher should also bear, or have attached to it, an acknowledgement of the payment, signed by the person by whom, or in whose behalf, the claim is put forward. The acknowledgement shall be taken at the time of the payment.

Note.— As adjustment bills for 'Nil" amount involve no payment, it is not necessary to insist upon any acknowledgement of payment in respect of such bills.

(2) In the case of articles received by value-payable post, the value payable cover, together with the invoice or bill showing the details of the items paid for, may be accepted as a voucher. The disbursing officer should endorse a note on the cover to the effect that the payment was made through the post office, and this will also cover charges for the postal commission.

(3) A certified copy (marked duplicate) of a receipted voucher may be retained by the disbursing officer, should this be necessary to complete the record of his office but the payee should not be required to sign such a copy or give a duplicate acknowledgement of the payment.

(4) Whenever one cheque is written in favour of a person in payment of two or more of bills, a separate stamped acknowledgement for each bill need not be taken.

(5) All paid vouchers must be stamped 'paid' or so cancelled that they cannot be used a second time. Stamps affixed to vouchers must also be cancelled so that they may not be used again. All sub-vouchers to bills must be cancelled in such a manner that they cannot be subsequently used for presenting fraudulent claims or other fraudulent purposes. The provisions of rule with regard to cancellation and destruction of sub-vouchers relating to contingent expenditure shall apply generally to sub-vouchers in respect of other classes of payments, unless they are governed by special departmental regulations or orders of the Government to the contrary.

(6) Vouchers and acquittances which are not required to be submitted to the Accountant General shall be filed and retained carefully in the office concerned as important documents till they are destroyed under the orders of a competent authority.

H.P. GOVT. ORDERS

(1) Payee's stamped receipts to be obtained separately.— It will be necessary to impress upon the drawing and disbursing officers to obtain the payee's stamped receipts separately (not on the bill itself) in all cases including the pre-receipted bills.

[Extract from senior Deputy Accountant General (A B E), H.P. letter no TM/16 (14) 85-86/ Vol .II/3374 dated the 17th September, 1985]

(2) Not necessary to insist upon payee's receipt where payment is made through crossed cheque and is certified by Disbursing Officer to have been made so.— (a) The undersigned is directed to invite reference to provisions of H.P. Financial Rule 2.22, clause (1) which provides that every payment voucher , to be admitted in audit, should also bear with it the Actual Payee's Receipt. It has been brought to Government notice that in very many cases, payments are made by crossed cheques, which are, however, not admitted in audit resulting in the heaping up of such objections remaining unsettled over long periods. Accordingly, the Governor, H.P. in consultation with the Accountant General, H.P. & Chandigarh, is pleased to order that the said provisions of Rule 2.22 (1) of the H.P.F. Rs. shall be deemed also to cover cases where payments are effected through crossed cheques issued in the name of the claiming party.

These instructions may be brought to the notice of all concerned.

[H.P.Govt., F.D.,O.M. No. Fin. (C)-A(9)-16 76,dated the 7th January,1980]

(b) In continuation of this Department's Office Memorandum of even number, dated 7th January 1980, conveying directions of this Government to the effect that the provisions of Rule 2.22 (1) of Himachal Pardesh Financial Rules shall be deemed also to cover cases where payments are effected through cross cheques, the undersigned is directed to make it clear that to meet with the requirements, the Disbursing Officers must certify that the payments have been made through cross cheques. This may be brought to the notice of all concerned for compliance.

[H.P.Govt.,F.D., O.M. No. Fin.(C)-A(9)-16 76, dated the 31st may, 1980]

(3) Procedure when any difficulty is anticipated in obtaining receipt in proper form.— See Rule 6.2 of H.P. Subsidiary Treasury Rules.

(4) Procedure when it is not possible to support a payment by a voucher.— See Rule 6.2 of H.P. Subsidiary Treasury Rules.

(5) Bankers receipt to be treated as payee's receipt where the contractors/suppliers channel the goods through bank.— See Note (2) below Rule 4.3 of H.P. Subsidiary Treasury Rules.

(6) Procedure when payments due to contractors are to be made to financing banks instead of direct to contractors.— See Note (2) below Rule 4.3 of H.P. Subsidiary Treasury Rules.

(7) Cash memoranda not regarded as sub-vouchers in Audit unless they contain an acknowledgement of receipt of money from the person named therein, with stamp affixed when the amount exceeds Rs. 500.— See Note (1) below Rule 4.8 (1) (k) of H.P. Subsidiary Treasury Rules.

(8) Cash memoranda in support of claims for reimbursement of cost of medicines need not be stamped or bear supplier's acknowledgement.—See Decision below Rule 4.43–A of H.P. Subsidiary Treasury Rules.

(9) Revenue stamp is now leviable only where the amount exceeds Rs.500 – Rate of revenue stamp is also now Re. 1.— See Decision below Rule 4.9 of H.P. Subsidiary Treasury Rules.

(10) Receipt to be stamped or not stamped depending upon the net amount payable.— See Note 2 below Rule 4.8 (1) (k) of H.P. Subsidiary Treasury Rules.

(11) Receipt for subsequent payment of an amount exceeding Rs.500 retrenched from a bill and recovered requires a receipt stamp but the sum disallowed before payment can be paid later on without stamping.— See Note 3 below Rule 4.8 (1) (k) of H.P. Subsidiary Treasury Rules.

(12) Stamping of receipts for payments made outside India.— See Note 4 below Rule 4.8 (1) (k) of H.P. Subsidiary Treasury Rules.

(13) Thumb impression not to be confined to revenue stamp alone but a part of it should fall outside the revenue stamp.— See Decision below Rule 4.9 of H.P. Subsidiary Treasury Rules.

2.23. General instructions regarding the preparation and completion of vouchers as given in Subsidiary Treasury Rules should be observed as far as possible in preparing departmental vouchers. The following supplementary instructions should also be observed:--

(a) When the payee signs in the vernacular, he should be required to note the amount acknowledged in the vernacular in his own handwriting. In transliterating his acknowledgements, the amount acknowledged, as well as

(b) any remarks made by him, should also be reproduced in English.

(c) The disbursing officer is responsible that the full name of the work as given in the estimate, or the name of the component part (or sub-head) or the head of account to which the charges admitted on a voucher are debitable, or to which the deduction or other credits shown in the voucher are creditable, is clearly indicated on it in the space provided for the purpose or in some prominent position.

2.24. In cases in which money due from the Government is paid by postal money-order or through private banks, the cost of remittance shall, in the absence of any special rule or order to the contrary, be borne by the payee. Charges for remittance by postal money order or through private banks of moneys due to contractors or suppliers, etc., should not ordinarily arise. When, however, the remittance by money order or through private banks, where there is no State Bank, is unavoidable and is considered necessary in the interest of the public service, the cost for such remittance may be debited to Government with the special sanction of the Head of Department concerned.

Note:— Payments to suppliers of stores include petty payments of contingent charges also for the purpose of this rule.

(D) Claims to Arrears or Increases of Pay or Allowances

2.25. (a) No claims against the Government not preferred within one year of their becoming due can be presented without an authority from the Accountant General. This rule does not apply to payments of claims on account of pensions which are regulated by rule 2.28 below, nor to payments made by Forest disbursing officers which are governed by special rules.

[1]*Exception.*— Notwithstanding anything contained in this rule, any petty claims upto the monetary limit of Rs. 2000 which are over one year old but not more than three years old, may be paid by the disbursing officers without an authority from the Accountant General.

Note:— Claims of Government against Railways for overcharges and claims of Railways against Government departments for undercharges will be recognised and admitted, if the claims are preferred within six months—

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1. Substituted *vide* H.P. Govt., F.D., Notification No. Fin (C) A (2)-3/95, dated the 6th January, 1997.

(i) in the case of cash payments from the date of payment;

(ii) in the case of warrants or credit notes from the date of presentation of bill by the Railway Administration.

Explanation.— The terms 'overcharges' and 'undercharges' used in this note mean overcharges and undercharges of railways freight and fares only. They refer to shortages and excesses in the items included in a bill which has already been rendered; the omission of an item in a bill is not an 'undercharge' nor is the erroneous inclusion of an item an 'overcharge'.

(b) Claims of Government servants, whether gazetted or not, to arrears of pay or allowances or to increments or in respect of any under-payment or by public prosecutors in respect of fees or allowances, which have been allowed to remain in abeyance for a period exceeding one year cannot be investigated by the Accountant General except under the special orders of the authority, which appoints the Government servant by whom the claim is made. Investigation of claims of more than six years old should, however, be referred to the Government for orders.

Note 1.—The provisions of this sub-rule are subject to restrictions contained in sub-rules (f) and (g) below ; and

Note 2.—Delays in payment are opposed to all rules, and are highly inconvenient, and objectionable, and when not satisfactorily explained, shall be brought to the notice of the head of the department concerned. So all heads of offices should realise the necessity of securing the punctual and prompt submission of claims against Government and prompt disposal of correspondence on the subject among their subordinates. The delays between the first presentation of a bill and its payment should always be avoided.

(c) Where claims are made on account of arrears of pay, etc., which for any reason have remained undrawn for more than one year, the authority permitting the investigation of claim shall communicate the reason for the delay to the Accountant General who will inform the Finance Department of any case where sufficient justification has not been adduced for the investigation of the claim.

(d) In the case of claims which are more than one month old, the preferring officer shall state in the bill the reason for the delay.

(e) The right of a Government employee to travelling allowance, including daily allowance, is forfeited or deemed to have been relinquished if the claim for it is not preferred within one year from the date on which it became due.

Note.— If the travelling allowance claim is not preferred by the administrative authority concerned for payment within one year from the date of its becoming due, it shall not be paid unless the reasons for delay are investigated in detail by the authority competent to sanction investigation of the claims under clause (g) and a specific sanction issued by it. If the investigation shows that the claim could not be preferred in time due to administrative delay without adequate and cogent reasons, suitable action may be taken against the officer(s) concerned so that such delays do not recur in future.

(f) Claims against Government which are barred by time under any provisions contained in section 3 read with the First Schedule of Indian Limitation Act of 1908 or under any other provision of law relating to limitation should ordinarily be refused and no claim on account of such a time-barred item should be paid without the sanction of Government. The onus is upon the claimant to establish a claim to special treatment for a time-barred item, and it is the duty of the authority against which such a claim is made to refuse the claim until a case for other treatment is made out. All time-barred petty claims are to be rejected forthwith and only important claims of this nature considered.

It is the duty of the authority against which a claim is made, to consider, in the first instance, the question of time-bar before submitting it to Accountant General for issue of authority for payment. The department concerned will refuse payment of all claims found to be time-barred until the sanction of Government has been obtained.

(g) All petty claims of Government servants more than three yeas old, other than that affecting his pension, and all such claims for whose delayed submission an adequate explanation is not forthcoming should be rejected forthwith. In considering old claims recommended for sanction, the authority concerned will also take into account that it is normally not possible owing to limited period of preservation of records to audit claims more than six years old.

Claims under this clause should be referred to Government in the Administrative Department concerned. Before according sanction, the Administrative Department will see that adequate reasons are forthcoming for the delay in preferring the claim; and such reasons are recorded in writing; and it has been certified by the drawing and disbursing officer concerned that the claim has been verified from the available records and that it has not been paid previously.

(h) The authority competent to authorise the investigation of a belated claim should be told why the claim was not submitted when it became due. In respect of non gazetted Government servants whose pay and allowances are drawn on the establishment bills by the heads of offices, the responsibility for making claims rests with the latter, and they should invariably see that all claims are presented within one year of their falling due.

Explanations.— (1) A claim presented for payment 6 months or more after the date of pre-audit by the Accountant General will again require the sanction of the Accountant General for its payment.

(2) The mere entering of a claim for leave salary in an establishment bill and withholding it for subsequent payment is not claiming it within the meaning of rule 2.25 (a).

(3) The one year's limits referred to in clauses (a) and (c) of rule 2.25 should be reckoned in the case of travelling allowance bills from the date of return to headquarters or from the first of the following month if the tour continues over that date; in the case of officiating pay from the date of receipt of the order sanctioning the promotion if the officiating pay is due for a past completed month or months, otherwise from the following pay day; in the case of leave salary from the date of the order granting the leave and in other cases from the date, on which a claim became due to the date of its presentation at the treasury. In any case, however, in which an allowance has been claimed, but in consequence of some objection taken, payment has been delayed, the Treasury Officer will not refuse to pay such bill if, when the objection is satisfied, the claim happens to have become more than one year old.

(4) The time limits prescribed in clauses (a) and (b) should be calculated from the date on which the charge becomes payable. In the case of sanction accorded with retrospective effect, the charge does not become payable before it is sanctioned; the time limits should, therefore, be calculated from the date of sanction and not the date from which the sanction takes effect.

H.P. GOVT. ORDERS

(1) It is the date of pay fixation orders of competent authority which is relevant to Rule 2.25.— I am directed to say that it has been brought to the notice of this Department that arrear claims (on account of revision of pay scales) are being objected to on the grounds that these have become time-barred in accordance with the note (4) below Rule 2.25 of Himachal Pardesh Financial Rules, Vol. I. In this connection attention is invited to Rule 18.11, which requires that a sanction of any authority (other than the Government) will have effect from the date such a sanction is issued. Therefore, in the case of arrear claims under reference it is the date of the pay fixation orders of the competent authority, which is relevant to Rule 2.25 of the Himachal Pardesh Financial Rules and not the date of issue of the sanction of the Government revising pay scales of various categories of posts.

[H.P. Govt.,F.D., letter No. 5-20 71 Fin (Reg.), dated the 4th January, 1973]

(2) Reckoning the date in case of increment of pay.— The cases of drawal of arrears of increment of pay should be regulated as follows:-

(i) In the absence of any specific order withholding an *ordinary* increment under F.R. 24 before the date on which it falls due for payment the period of one year should be counted from the date on which it falls due and not with reference to the date on which the increment certificate is signed by the competent authority. Even where an increment is withheld the time-limit should be reckoned from the date on which it falls due after taking into account the period for which it is withheld.

(ii) In a case is in which the increment next above the *efficiency bar* is to be allowed under F.R. 25 or in which a *premature increment* is to be granted under F.R. 27, the time limit should be reckoned from the date of sanction of the increment or the date of its accrual, which ever is later.

(iii) x x x x x x

[G.I., M.F., O.M. No. 11 (83) -E II (A) 60, dated the 7th January 1961]

(3) Reckoning the date in the case of O.T.A. claims.— A claim for overtime allowance way be considered to have fallen due for payment on the 1st day of the month following the month to which the overtime allowance relates and this should be considered as the due date for the purpose of reckoning the period of twelve months prescribed in Rule 136 of the Central Treasury Rules, Vol. I *(corresponding to Rule 2.25 of H.P.F.R., Vol. I).*

[G.I., M.F., O.M. No. 10 (57) B/65 dated the 17th July, 1965]

(4) Date on which T.A. claims should be considered as falling due.— The undersigned is directed to say that as per S.R. 194 as also clause (e) of Rule 2.25 of the Himachal Pradesh Financial Rules , 1971 (Vol. I.), all Government servants are expected to prefer their Travelling Allowance claims within one year of their becoming due and where the claims have not been preferred by that period, they stand forfeited. Of late, a large number of cases are being received in this Department seeking admission of claims in relxation of the above rules on humanitarian grounds, by and large. In order to settle the cases in time and to avoid unnecessary references to this Department in future, the procedure to be followed in the settlement of these cases has been restated below for guidance of all concerned:-

(1) Date on which the claim should be considered as falling due for payment

A claim for Travelling Allowance should be considered as falling due for payment on the date succeeding the date of completion of a journey to which the claim relates. In the case of Transfer T.A. also, the claim falls due on the date succeeding the date of completion of journey and not from the date of assumption of charge at the new station. In cases where the officer and members of family travel separately, the date should be reckoned separately for each on the date succeeding the date of completion of each individual journey. Similarly, T.A. claims in respect of transportation of personal effects and conveyance should be considered as falling due on the dates succeeding the date on which these are actually delivered to him at the new station.

(2) Date of submission of claim

For purposes of determining whether the claim has been submitted within one year of its falling due or not. the date of submission of the claims has to be taken into account as jndicated below:-

(i) In the case of officers who are their own controlling officer.	The date of presentations of the claim at the Treasury.
(ii) In the case of officers who are not their own controlling officer.	The date of submission of the claim to the Head of Office/Controlling Officer.

In the case of claims falling under category (ii), where they have been submitted by the Government servant within one year, but which are presented to the Treasury after a period of one year of their falling due, S.R. 194-A is not attracted, but the prescribed procedure for processing such claims laid down in note below clause (e) of Rule 2.25 of the Himachal Pardesh Financial Rules, 1971 (Vol. I.), has to be followed.

2. The Administrative Departments are requested to bring these instructions to the noticed of the staff serving under them and also enforce the provisions of S.R. 194-A strictly in all cases of belated claims.

[H.P.Govt.,F.D.,O.M. No.Fin (C)-A (3)-17 75, dated the 26th March, 1976]

(5) Reckoning the date in the case of a journey to attend an obligatory examination where admissibility or otherwise of T.A. is conditional and can be determined after the examination is declared.— For the purpose of provisions in this Chapter a claim for travelling allowance should be considered as falling due for payment on the date succeeding the date of completion of the journey in respect of which the claim is made. In the case of a journey undertaken to attend an obligatory examination where admissibility or otherwise of travelling allowance is conditional and can be determined after the examination is declared, the time-limit should be counted from the date of announcement of the result.

[Extract from G.I., M.F.,O.M. No. F. 11 (18) E II (18) E II (A) 58, dated the 29th October, 1958]

(6) Reckoning the date in case of T.A. claims of retired Government servant for appearing in court of law for defending himself..— The retired Government servant becomes eligible for reimbursement of travelling expenses only when the judgement relating to his honourable acquittal is pronounced by the court. The submission and forfeiture of T.A. claims under S.R. 194-A or Note 2 below Rule 82 of G.F.Rs. *(corresponding to Note below Rule 2.25 (e) of H.P.F.R., Vol. I)* would, therefore, be with reference to the date of pronouncement of judgement.

[C. & A.G. circular letter No. 661- Audit. I 63-85, dated the 3rd September, 1985]

(7) T.A. claims of non-official members of departmental committees to be deemed to have been relinquished, if not preferred within one year of their becoming due.— The Administrative Departments are aware that persons, *other than* Members of Parliament and Members of State Legislature when appointed to serve as members of various departmental committees are entitled to T.A. & D.A. at the same rate as admissible to Government servants of the First Grade. The matter regarding the time limit for submission of the T.A. claims by such persons was under consideration of the Government for some time past. After careful consideration, the Governor, H.P is pleased to decide that such persons shall prefer their T.A. claims within a period of one year from the date/dates of their becoming due, failing which their claims shall be forfeited having become time-barred or deemed to have been relinquished.

T.A./D.A. claims of Members of State Legislature and Members of Parliament will continue to be regulated is accordance with rules applicable to them from time to time.

This decision may be brought to the notice of all concerned for their information and guidance.

[H.P. Govt., F.D., O.M. No Fin(C)-A(3) 20/89 IV, dated the 12th January, 1990]

(8) Forfeiture of L.T.C claim.— (a) A claim for reimbursement of expenditure incurred on journey under leave travel concession shall be submitted within three months after the completion of the return journey, if no advance had been drawn. Failure to do so will entail forfeiture of the claim and no relaxation shall be permissible in this regard.

[Extract from H.P. Govt., F.D., O.M. No. Fin (C) A (3) 21/84, dated the 12th March, 1990]

(b) Failure to adjust the L.T.C. advance drawn by a Government servant within a month from the date of completion of the return journey, as provided for in M.H.A., O.M. No. 43/3/57 - Ests (A), dated 1-4-1958 would not forfeit his right for reimbursement of L.T.C. claim, if the advance is refunded/recovered.

[G.I., Deptt. of Per. & A.R., U.O. No. 31011/7/78 - Estt. (A), dated the 25th July, 1978 to the C. & A.G. of India]

(c) In cases where the adjustment bill is not submitted within the prescribed time, the entire amount of advance may be recovered in lump sum immediately on the expiry of such time limit. X X X X. The claim of the Government servant for reimbursement would, however, not be forfeited merely on account of recovery of advance. X X X X X X X.

[Extract from G.I., M.F., O.M. No. F. 11 (3) - E. II (A), dated the 30th April, 1986]

(d) In cases where advance has been drawn towards L.T.C. the final bill will have to be preferred within one month of the completion of the return journey. If that is no done, the authority which sanctioned the advance should enforce lump-sum recovery of the advance forthwith and once such recovery is made, it should be taken as if no advance had been drawn and the claim allowed to be preferred within a period of three months, failing which it shall stand forfeited in terms of these orders.

[G.I., O.M. No. 31011/28/86 - Estt. (A), dated the 26th March 1987]

(9) Provisions of Rule 2.25 not applicable to arrear claims of employees whose names are omitted from the pay bills which are prepared by number according to different rates of pay/designation.—The undersigned is directed to invite a reference of rule 4.31 (d) of the H.P. Subsidiary Treasury Rules, wherein it has been provided that the pay of establishment which is treated as a contingent charge shall not be included in pay bills and the names of incumbents whose pay is less than Rs. 50 p.m. and who do not hold substantive permanent posts under Government may be omitted from the pay bills as also the names of all persons in inferior service, of all Head Constables and Constables. The pay bills in such cases are prepared by number according to different rates of pay or with different designations. A point of doubt has arisen whether the arrear claims on account of pay and allowances in respect of such employees are subject to audit under the provisions of rule 2.25 of the H.P. Financial Rules,1971, Vol. I.

2. As it is not possible to verify such claims in the Audit & Accounts Office in the absence of the names of incumbents, it is clarified that the provision of rule 2.25 of the H.P. Financial Rules, 1971 is not applicable in such claims to arrears of pay and allowances of the aforesaid category of State Govt. employees.

[H.P.Govt., F.D., O.M. No. 1-3/73-Fin.(Reg.),dated the 19th March,1976]

(10) Appointing authority can sanction investigation of arrear claims except in case of (i) petty claims more than three years old and (ii) claims other than petty ones, more than six years old, both of which require Government sanction.— उपरोक्त मामले पर वित्त विभाग ने निम्नलिखित सलाह दी है।

> "वेतन व भत्तो के विलम्बित दावों के भुगतान के विषय में जो प्रवधान हिमाचल प्रदेश वित्त नियमों के नियम 2.25 पर उल्लेखित हैं उसका अर्थ महालेखाकार के कार्यालय मे ठीक नहीं लगाया जा रहा है। पशुपालन विभाग के इस निषर्कष से वित्त विभाग सहमत है। स्थिति को स्पप्ट करने के लिए यह बतलाना उचित होगा कि जहां तक छोटे मोटे दावो का सम्बन्ध है, उपरोक्त नियम के खण्ड ''जी''के अर्न्तगत तीन वर्षो की अवधि से अधिक के पुराने दावे प्रशासकीय विभागों की स्वीकृति हेतु भेजने होते हैं! जहां तक अन्य दावों यानि जो छोटी–मोटी राशि के नहीं हैं, का सम्बन्ध है उनमें खण्ड ''बी'' पर उल्लेखित प्रावधान लागू होता है। यानि जो एक वर्ष से अधिक तथा 6 वर्षो से कम होते हैं उनमें महालेखाकार द्वारा जांच पड़ताल की स्वीकृति प्रदान करने की क्षमता नियुक्ति अधिकारियों में होती है। तथा इससे अधिक अबधि के पुराने दावों की स्वीकृति केवल सरकार द्वारा दी जा सकती है। अतः प्रशासकीय विभाग की परामर्श दिया जाता है कि वे ऐसे मामलों का निपटारा वित्त विभाग द्वारा दिए गए उपरोक्त स्पस्टीकरण को ध्यान में रखते हुए करें।"

आप से अनुरोध है कि अब उपरोक्त स्पप्टीकरण के अनुासार मामलों का निपटारा किया करें तथा इस सम्बन्ध में महालेखाकार के कार्यालय को स्थिति से स्पप्ट कर दें!

[H.P. Govt., A.H. Deptt., letter No. AHY - C (6) - 19/79, dated the 19th June, 1979 to the Director, Animal Husbandry, H.P.--Extract]

(11) Information and documents required to be furnished by disbursing officer to Audit and Accounts Office with the arrear claims/bills requiring pre-audit.— The undersigned is directed to invite reference to the provision of rule 2.25 (b) of the Himachal Pardesh Financial Rules,1971, Volume I, which requires that claims against Government not preferred within one year of their becoming due cannot be paid without the authority of the Accountant General. It is only in the case of claims not exceeding Rs.100 *[now claims not exceeding Rs. 2000]* which are over one year old but not more than three yeas old that the disbursing officers may without any authority from the Accountant General pay the amount to the person concerned. The primary responsibility for guarding against double claims in such type of cases, however, rests with the disbursing officers concerned. It has been brought to the notice of Finance Department that the Audit and Accounts Office generally finds it difficult to conduct the pre-audit of arrear claims due to non-availability of necessary basic record. It has, therefore, been decided that in order, and to ensure that double claims are not preferred by the individuals concerned on one pretext or the other, and enable the Audit and Accounts Office to pre-audit the same, the disbursing officer concerned must furnish the following information and documents alongwith the arrear claims to that office alongwith the bills requiring pre-audit:—

1. A certificate to the effect than the arrears have not been claimed previously;
2. The service book of the official/officer concerned should invariably accompany the claim; and
3. A note in the service books of all payments on account of arrears of pay and allowances be kept under proper attestation.

This may be brought to the notice of all concerned for information and strict compliance.

[H.P. Govt., F.D., O.M. No. Fin (C) A (9) - 1/84, dated the 9th November, 1981]

(12) Procedure for obtaining Government sanction for *ad hoc* payment in respect of arrear claims where the Audit Office is unable to investigate them.— The undersigned is directed to refer to rule 2.25 (b) of the HIMACHAL PRADESH FINANCIAL RULES, VOLUME I, 1971 wherein it has been provided that the claims of Government servants, whether gazetted or not, to arrears of pay or allowances or to increments or in respect of any under-payment or by public prosecutors in respect of fees or allowances, which have been allowed to remain in abeyance for a period exceeding one year cannot be investigated by the Accountant General except under the special orders of the authority, which appoints the Government servant by whom the claim is made. Investigation of claim of more than six years old are, however, to be referred to Government for orders, which means an Administrative Department of the Government of Himachal Pardesh.

2. In the case of time-barred claims referred to in rule 2.25 (b) *ibid.*, or such other claims where the Accountant General, Himachal Pardesh, is not in a position to investigate them with reference to his own records due to limited period of preservation of the records or otherwise, payment, as distinct from investigation, can be made only with the concurrence of the Finance Department and such cases may, therefore, be referred to the Finance Department for *ad hoc* payment. Since the Audit & Accounts Office is not in a position to verify the accuracy and admissibility of claims in such cases, it is for the Heads of Departments, the Administrative Departments and the Finance Department to satisfy themselves in these respects before any payment is authorised. The responsibility for this rests mainly with the administrative authorities as they are in the best position to check up a claim, with reference to their record. The Finance Department also have to satisfy themselves about the accuracy etc. before agreeing to *ad hoc* payments in such cases. To facilitate this, it is requested that while forwarding the claims to the Finance Deptt., full particulars thereof may be furnished in the proforma enclosed. It may please invariably be certified by the Administrative Deptt. that the accuracy and admissibility of the claim has been checked with reference to the corroborative records and that it has not been paid earlier. In certain cases it may, however, not be practicable for the Administrative Department to call for the original or attested copies of the relevant records to verify the accuracy, etc. of arrear claims. In such cases, it will suffice if the Head of Office concerned is required to furnish full facts of the case, as per items (i) to (viii) of the proforma appended to this letter as also a certificate to the effect that the claim has been checked/verified and that the same has not been drawn/paid previously.

[H.P. Govt., F.D., O.M. NO.15-4/71 Fin. (R&E),dated the 4th November, 1971]

PROFORMA (2.25)

(i) Name of the claimant.

(ii) Nature of the claim, detailed history as to how the claim arisen should be given.

(iii) Details of the claim
(a) period
(b) per month
(c) amount due

(iv) Reasons for delay in settlement (Time taken at various levels should be indicated).

(v) Efforts made by the claimant to get the settlement of the claim expedited and with what result.

(vi) Whether the non-payment of the claim will affect pension.

(vii) Whether claim was referred to the Audit and Accounts Office for investigation and if so with what results.

(viii) Details of records, order and/or other corroborative evicence on the basis of which the claim is considered indisputably due, (relevant extracts duly attested should be enclosed where it is not possible to submit the records in original).

Signatures
of the Drawing and Disbursing Officer.

(13) Payment by disbursing officer of petty claims upto Rs. 2000 which are more than one year old but not more than three years old without authority from A.G. under the Exception below Rule 2.25 (a).—The disbursing officer will ensure that there is no double payment. For this purpose he will record a certificate in service book that the claim has not been paid previously and has actually become due *vide* orders/sanction (No. and date to be specified) dated............

[Para 2 of H.P Govt., F.D., Notification No. Fin (C) A (2) – 3/95, dated the 6th January 1997]

2.26. Rule 2.25 (a) does not apply to contingent payments as contingent charges are recorded as charges of the month in which they are actually disbursed from the treasury.

Charges on account of personal claims, including fees to Public Prosecutors, if not claimed within one year, however, require pre-audit by the Accountant General even though such charges, are drawn on contingent bills, as such personal claims, unlike other contingent charges, are not paid out of the permanent advance but drawn direct from the treasury.

2.27. No payments may be made on account of increases to pay until the additional expenditure thereby caused has been provided for in the budget estimates and duly sanctioned.

Note.— Periodical increments of pay are not increases to pay within the meaning of this rule.

2.28. "Pensions for political considerations" and "charitable allowances" not drawn for six years and other pensions not drawn for three years cease to be payable at the treasury without the prior sanction of the Accountant General. Arrears of pensions due in the case of a deceased pensioner also cease to be payable by the Treasury Officer, if they are not claimed within one year of the pensioner's death

Note.— This rule also applies to Jagir Pensions and to allowances payable to men on non-effective service or to windows of deceased persons in connection with the President Police Medal (formerly Kings Police Medals).

(E) Checking of Charges and Audit Objections

2.29. Every charge comes up for audit or disposal by the Accountant General, who, if the charge is irregular, or is in excess, proceeds to remove the irregularity or recover the excess through the Treasury Officer, usually, however, issuing a warning slip to the Government servant concerned; and, if anything more is due (unless the amount be insignificant) informs the Government servant accordingly, leaving him to prefer the additional claim or not as he thinks proper.

2.30. Every Government servant must attend promptly to all objections and orders communicated to him by the Accountant General, either direct or through the treasury office by letters, audit memoranda, objection statements, etc., and return the audit memoranda or reply to objection within a fortnight, or send a letter explaining the cause of delay.

Note 1.—The fact that some of the objections are still under reference is no reason for keeping back the statement. Such cases can be extracted for subsequent explanation.

Note 2.—See also Subsidiary Treasury Rules.

Responsibility for overcharges

2.31. (a) A drawer of bill for pay, allowances, contingent and other expenses will be held responsible for any overcharges, frauds and misappropriations. He should, therefore, make himself thoroughly acquainted with the meaning of the various financial checks which he is expected to exercise so that he can be in a position to detect immediately any attempt at defalcation and should pay special care to those points in financial procession at which leakage is likely to occur, such as the stage at which money has been drawn from the treasury and is lying undisbursed with a subordinate official. To minimise the length of time during which the leakage occurs, and the amount of money lying undisbursed should be one of his first cares. *(See* also Subsidiary Treasury Rules).

With a view to enable the head of office to see that all amounts drawn from the treasury have been entered in the cash book he should obtain from the Treasury Officer by the 15th of every month a list of all bills drawn by him during the previous month and trace all the amounts in the cash book.

(b) The responsibility of countersigning officers will be that which attaches to all controlling officers and which brings them under liability to make good any loss arising from their culpable negligence. *See* rule 8.26.

Controlling officers for their part should regard it as an important part of their duties to inspect the offices of their subordinates and to see to what extent the financial control is a real thing. In particular, where periodical inspections are required by the rule they should be invariably made. Before countersigning bills for expenditure submitted by subordinate officers, they should see whether the expenditure was really necessary, the rates charged are not extravagant, and the payments have been properly vouched for and are covered by budget appropriation.

(c) The Treasury Officer who makes payment without pre-audit will be responsible for checking any palpable errors and (in the case of change of office, or of rate of pay of gazetted Government servants) for passing the new rate with reference to the orders direction the change. He is also required to examine the accuracy of the arithmetical computations in a bill.

Note.— When bills presented for payment contain obvious arithmetical mistakes or trifling mistakes which can easily be corrected, the Treasury Officer should not return such bills but should correct them and pay the corrected amount of the bill. Similarly, where bills contain doubtful items which can easily be eliminated, the Treasury Officer should disallow the doubtful items and pay the remainder of the bill. In all cases the corrections made and the reasons therefor should be intimated to the presenter of the bill and, if necessary, to the Accountant General (or the Treasury Officers in the case of payments made at a sub-treasury).

(d) The responsibility for an overcharge shall rest primarily with the drawer of the bill, and it is only in the event of culpable negligence on the part of controlling officer or of the Treasury Officer, that the question of recovery from either of them may be considered.

H.P. GOVT. ORDER

(1) Mode of drawal and classification in accounts of amount redrawn owing to loss through misappropriation, defalcation, embezzlement, etc.— The undersigned is directed to state that the question of laying down the procedure for the drawal and the classification etc. of amounts required to be redrawn following loss through misappropriation, defalcation, embezzlement, etc. has been receiving attention of the State Government. The Governor, Himachal Pradesh, is pleased to order that the redrawal of amount on such occasions, pending further action regarding investigation etc. and recovery, if any, of the loss, shall require a specific sanction of the authority competent to write off of the loss in question in terms of the provisions of rule 19.16 of the HIMACHAL PRADESH FINANCAL RULES,1971, Volume I, in each case and that the amount, so sanctioned, shall be drawn on a simple receipt containing information given in the enclosed form. It has also been decided that in relaxation of rule 4.110 of the Punjab Subsidiary Treasury Rules, as adopted by the State Government, the drawal of the amount so sanctioned will not require any special authority from the Accountant General to the Treasury Officer.

In the accounts the amount so redrawn will be classified as "Special Advance" under the major head "8550-Civil Advances-104-Other Advances" under Sector "K-Deposits and Advances". The amount, if any, recovered subsequently shall be credited to the above head and the balance, if any, under that head, if found irrecoverable should be written off with the sanction of the competent authority and adjusted as a loss under head of account to which the expenditure of the Department concerned is ordinarily debitable.

[H.P.Govt., F.D., O.M., No. 1/3/73-Fin.(R&E), dated the 21st June, 1973]

FORM FOR REDRAWAL OF AMOUNT LOST DUE TO THEFT, MISAPPROPRIATION, DEFALCATION,EMBEZZIEMENT, ETC.

No.

[1]Head of Account "8550-Civil Advances-104-Other Advances-Special Advances-STATE

Receipted the sum of Rs........... (Rupees.........................) being the amount sanctioned for redrqwal under letter No......dated........ (copy enclosed)

Signature........................
Designation......................

Place.........

Stamp of Office..............................

Dated..................

....

FOR USE IN TREASURY

Pay Rupees

Examined

---

[1] Head of Account in the H.P. Govt., F.D., O.M. No. 1/3/73-Fin. (R&E) dated 21-6-73 and in the Form for Redrawal changed due to revision of structure of classfication w.e.f. 1-4-1987

Treasury Accountant Treasury Officer

....

FOR USE IN ACOUNTANT GENERAL'S OFFICE

Admitted Rs...................................

Objected to Rs...............................

Reason for objection.....................

Auditor. Superintendent. Gazetted Officer.

IV—CONTROL OVER ACCOUNTS

2.32. (a) It is not sufficient that a Government servant's accounts should be correct to his own satisfaction. He has to satisfy not only himself, but also the Accountant General, that a claim which has been accepted is valid, that a voucher is a complete proof of the payment which it supports, and that an account is correct in all respects. (*See* also Subsidiary Treasury Rules). It is necessary that all accounts should be so kept and the details so fully recorded, as to afford the requisite means for satisfying any enquiry that may be made into the particulars of any case, even though such enquiry may be as to the economy or the *bonafides* of the transactions. It is further essential that the records of payments, measurement and transactions in general must be so clear, explicit and self-contained as to be produceable as satisfactory and convincing evidence of facts, if required in a court of law.

(b) The responsibilities of disbursing officers, controlling officers and heads of departments in regard to the control over expenditure incurred against the grants allotted to them are laid down in paragraph 10.3 *et seq* of the Himachal Pardesh Budget Manual and in Appendices G and H *ibid* (For Public Works Department, *see* also paragraphs 1.47 and 1.52 of the Public Works Department Code).

Internal Check against Irregularities, Waste and Fraud

2.33. In the discharge of his ultimate responsibilities for the administration of an appropriation or part of an appropriation placed at his disposal, every controlling officer must satisfy himself not only that adequate provisions exist within the departmental organisation for system at internal checks calculated to prevent and detect errors and irregularities in the financial proceedings of his subordinate officers and to guard against waste and loss of public money and stores, but also that the prescribed checks are effectively applied.

V—DEFALCATIONS AND LOSSES, AND REMISSIONS OF AND ABANDONMENT OF CLAIMS TO REVENUE

(I) Responsibilty for Losses sustained through Fraud or Negligence of Individuals

2.34. Every Government servant should realise fully and clearly that he will be held personally responsible for any loss sustained by Government through fraud or negligence on his part, and that he well also be held personally responsible for any loss arising from fraud or negligence on the part of any other Government servant to the extent to which it may be shown that he contributed to the loss by his own action or negligence [*See* rule 2.10 (a) (1)]. A memorandum regarding (1) general principles to regulate the enforcement of responsibility for losses sustained by Government through fraud or negligence of Individuals, (2) the procedure to be followed in prosecutions in respect of the embezzlement of Government money, and (3) the procedure to be observed for conducting departmental enquiry is given in Part I of Appendix 2 to these rules.

(II) Report to Accountant General and Departmental Superior Authority

2.35. The instructions for reporting to the Accountant General, defalcations and losses, and remission of and abandonment of claims to revenue (*vide* rule 4.5) are contained in Annexure to this Chapter. The directions issued by the Comptroller and Auditor General of India regulating the exhibition of losses in Government accounts are given in Chapter 6 of Account Code, Volume I.

2.36. (1) The preliminary report prescribed by the rules in Annexure to this Chapter notifying the occurrence of a defalcation, or loss of public money in a treasury should be submitted by the Deputy Commissioner concerned to–

(i) the Accountant General direct;
(ii) the Government, unless the case is unimportant; and
(iii) the head of the department through the controlling officer.

With regard to the final complete report which is also required by the orders, the Deputy Commissioner should submit his report to the controlling officer who will forward it to the Accountant General, for submission to Government through the head of the department.

(2) Losses occurring in offices, as soon as they occur or come to notice should be at once reported, through the immediate departmental superior of the Government servant reporting the loss, to the Head of the Department

concerned, with statement of the steps taken in the matter. When the matter has been fully enquired a further and complete report should be submitted of the nature and extent of the loss, showing the errors or neglect of rules by which such loss was rendered possible and the prospects of effecting a recovery. The report on a loss occurring in the office of a Head of a Department may be submitted direct to Government. It is always open to a Head of a Department to obtain the advice or opinion of the Accountant General on any loss occurring in his own office or in an office under his control if it is likely to be of use in preventing their occurrence in future.

(3) In regard to any loss of money belonging to a municipality, small town committee or notified area, it should be reported by the Administrator or the President or the Executive Officer, where such an officer has been appointed, direct to the Deputy Commissioner and to the Examiner, Local Fund Accounts. Intimation may also be sent at the discretion of the Deputy Commissioner to the Commissioner of the Division who shall, if he deems it necessary, submit a complete report to Government showing the total sum of money misappropriated, the method in which the embezzlement was effected and the steps taken to recover the money and punish the offenders.

H.P. GOVT. ORDERS

(1) **Procedure for special audit in case of suspected misappropriation, etc.**—See Decision below Appendix 2 in H.P. Financial Rules, Vol.II.

(2) **Writing off of losses exceeding Rs. 25.000 due to misappropriation/defalcation – Constitution of committee.**—See Order (1) below Rule 19.16 in this Compilation.

VI—INTER-GOVERNMENT AND INTER-DEPARTMENTAL TRNSACTIONS

(1) Inter-Government Transactions

2.37. (1) Subject to the relevant provisions of the Constitution and of the orders issued thereunder by the President of India, adjustments in respect of financial transactions with the Union, or other State Government will unless otherwise provided for, be made in such manner and to such extent as may be mutually agreed upon between the Himachal Pardesh Government and the Union Government or the State Government concerned.

(2) Adjustment should, however, always be made unless otherwise agreed upon:–

(i) If a commercial department or undertaking or a regularly organised store, department or store section of a department is concerned ; or

(ii) If under the operation of any rule or order of Government, an adjustment would have been made if the particular transactions with the Union or other State Government were a transaction between two departments of the Himachal Pradesh Government.

Note 1.- The procedure for the settlement of these adjustments is regulated by the directions contained in Chapter 4 of Account Code, Volume I. These directions have, for ready reference, been reproduced in Appendix 3 to these rules.

Note 2.- The Himachal Pardesh Government intend to have reciprocal arrangements with various Governments (*See* Appendix 4) in respect of inter-Governmental transactions and will, therefore, be binding on all of them on receipt of their consent, which will be notified to all concerned.

Note 3.- No inter-Government adjustments can be carried out after the 15th of April, on which date the books of the bank are closed for the month of March. Every endeavour must, therefore, be made to settle as far as possible, all transactions with Union and States before the close of the year.

H.P. GOVT. ORDERS

(1) Inter-Departmental/Governmental adjustments - Scope of recommendation in paragraph 13.7 of the Second Report of the Team relating to .— I am directed to refer to paragraph 13.7 of the Second Report of the Team on reforms in the structure of Budget and Accounts, wherein it has been recommended that in all cases of claims from one Government against another for an amount not exceeding Rs. 1000/- in each case, on account of services rendered or supplies made, no monetary settlement need be resorted to. In this connection, the State Government of Haryana, Karnataka and Rajasthan raised a point (in response to this Ministry's letter No. F.1 (57) -B/74 dated the 12th September,1974) as to whether this recommendation will also apply to claims relating to Commercial Departments/Undertakings of a Government, which are required to work to a financial result, for services rendered or supplies made to or by them. This point was considered in consultation with the Comptroller and Auditor General of India and it is clarified for information of all Governments that such claims relating to Commercial Departments/Undertakings of a Government are to be kept outside the purview of the recommendation referred to above, in paragraph 13.7 of the report. In other words, financial adjustments will be necessary irrespective of any monetary limit, where the claim or claims relate to Commercial Departments/Undertakings of a Government.

[G.I.., M.F., Deptt. of Economic Affairs, letter No.F.1 (57) - B/74, dated the 15 th March, 1975, circulated vide H.P. Govt., F.D., letter No. 3-16/73-Fin(A)- Part File, dated the 6th August, 1975].

(2) Inter–Governmental transactions - Settlement on account of supplies made or services rendered, to be made in cash (i.e. by cheque/draft) except in case of purchases made through D.G., S. & D.— See Decision below Appendix 3 in H.P. Financial Rules, Vol. II.

(3) Purchases made by State Governments through Directorate General, Supplies and Disposals - Chief Pay and Accounts Officer, Department of Supply, Government of India to make payment and to adjust the debit against the balances of the State Government concerned through the Central Accounts Section of the Reserve Bank of India.— See Decision below Appendix 3 of H.P Financial Rules, Vol. II.

(4) Arrangements for payments of loans and grants (including States' share of Income tax, Union Excise Duty, etc.) by Central Government to State Governments and for repayment of loans and interest thereon by State Governments to Central Government.— See Decision below Appendix 3 of H.P. Financial Rules, Vol. II.

(5) Procedure for payments by Indian Missions/Posts abroad (other than High Commission of India, London, and Embassy of India, Washington) on behalf of other Ministries/Departments/State Governments/Public Sector Undertakings/Statutory Bodies, under the Departmentalised Accounting arrangements. — See Decision below Appendix 3 in H.P. Financial Rules, Vol. II.

(6) Procedure for payments by the High Commission of India, London and Embassy of India, Washington on behalf of other Ministries/Departments/State Governments/Statutory Bodies/Public Sector Undertakings etc. under the Departmentalised Accounting arrangements.— See Decision below Appendix 3 in H.P. Financial Rules, Vol. II.

(II) Adjustments with Foreign Governments, outside Bodies, etc.

2.38. Payment must be required in all cases in respect of services rendered to any Foreign Government, or non-Government body or institution, or to a separate fund constituted as such either inside or outside the Public Account, unless Government by general or special order, gives directions to the contrary. Relief in respect of payment for services rendered or supplies made to any outside body or fund, should ordinarily be given through a grant-in aid rather than by remission of dues.

(III) Inter-Departmental Adjustments

2.39. (1) The conditions under which a department of Government may make charge for services rendered or articles supplied by it and the procedure to be observed for the settlement of such charges are regulated by the directions referred to in Note 1 below rule 2.37.

(2) Except in regard to transactions affection the accounts of commercial departments and undertakings or allocation to capital heads, adjustments between different departments of Government should be restricted to the narrowest limits. Such adjustments, when they are essential should, as far as possible, be based on lump sum figures fixed for a period of three years with reference to some suitable formula easy of application and maintained for a series of years. Elaborate or meticulous calculations should also be avoided as a general rule.

Note.— Under the directions contained in Account Code, Volume IV, inter-departmental and other adjustments are not to be made in the accounts of the past year if these could not have been reasonably anticipated in time before funds being obtained from the proper authority. In all cases, where adjustment could have been reasonably anticipated, as for example, recurring payments to another Government or department and payments which, though not fixed amount are of fixed character, etc., the Accountant General will automatically make the adjustments in the accounts before they are closed. The onus of proving that the adjustment could not have been reasonably anticipated should lie with the controlling officer.

VII—MISCELLANEOUS RULES AND ORDERS

(I) Erasures, Overwritings and Corrections

2.40. The instructions given in Subsidiary Treasury Rules regarding erasures and overwritings in vouchers apply *mutalis mutandis* to erasures and overwritings in accounts, registers, cash books, schedules, etc.

(II) Issue of Duplicates or Copies of Documents

2.41. (1) The provisions of Subsidiary Treasury Rules apply *mutatis mutandis* in respect of the issue of duplicates or copies of receipts granted for money received or duplicates or copies of bills and other documents for the money paid by Government servants in general. In the case of a bill passed by the drawing officer/controlling officer for presentation at a treasury, but lost either before payment or before presentation at the treasury, the Government officer who drew the original bill shall ascertain from the treasury that payment has not been made on it before he issues a duplicate thereof. The duplicate copy issued must bear distinctly on its face the word 'Duplicate' written in red ink. The fact that a duplicate bill has been issued shall be immediately communicated to the Treasury Officer with instructions to refuse payment on the original bill if presented.

Note.— For the purpose of this rule, the Treasury Officer, on receipt of a request from any drawing/controlling officer shall after due verification from his records furnish a certificate in the following form:–

Certified that bill No. ....dated.................for Rs.......................... (Rupees................................) reported by (the drawing officer) to have been drawn by him on this treasury in favour of.................................... has not been paid, and will not be paid if presented hereafter.

(2) When any kind of bill is required to be prepared in duplicate or triplicate only one copy shall be signed or countersigned in full and the other copy or copies may be only initialled. If the previous audit of the Accountant General is required, only the original copy shall be sent to that authority.

(III) Signing of Sanctions, etc.

2.42. All letters or orders, sanctioning expenditure, appointments, etc., must be signed by the sanctioning authority personally or by a gazetted Government servant authorised to sign for him. Similarly 'copies' of sanctions signed by a non-gazetted Government servant are not sufficient for audit purposes and will be returned for authentication by a gazetted Government servant.

(IV) Prohibition regarding Sending of Communications at Public Expense

2.43. (a) All references by Government servants on personal matters, such as leave, leave salary, pay, increments, funds, subscriptions, house-rent, posting, etc., must be submitted in covers stamped with ordinary postage and not with service postage stamps. This rule applies only to the letters of Government servants regarding their own personal matters. When, however, references are forwarded officially by a superior officer the letter should be treated like any other official communication.

(b) All telegraphic messages regarding matters referred to in clause (a) above or other analogous matters must be paid for by the persons sending them. When a telegraphic reply is required on any such matter the reply should always be pre-paid.

(c) This rule applies also to the use of telephone for trunk-calls.

(d) When it comes to the notice of audit that a letter, telegram or trunk-call has been made at Government expense instead of at the expense of the officer concerned recovery should be made from the next pay bill of the officer who should be informed of the reasons for the recovery. If the officer wishes to object to the recovery he must take up the matter with the Accountant General through his controlling officer who may, if he so desires, obtain the orders of Government through the Head of the Department.

(V) Call of Vouchers from Audit Office

2.44. Vouchers once received in the Accounts Office will not be returned except for very cogent reasons. Accordingly, when application is made for the return of any vouchers, the reasons for the request should invariably be stated.

(VI) General Rules and Principles relating to Contracts

2.45. (a) General rules and principles for the guidance of authorities who have to enter into contracts or agreements involving expenditure from State revenues have been given in Appendix 5, and Annexure 'A' thereto.

(b) The authorities who are empowered to execute deeds, contracts and other instruments on behalf of the Governor of Himachal Pradesh are contained in the Law Department notification No. LR-107-468/54-III, dated 25th January, 1971 as reproduced in Annexure 'B' to Appendix 5.

Note.— No contract or agreement to execute a contract shall be executed or entered into and no tenders for a contract shall be accepted without previous consultation of Finance Department if expenditure of money or abandonment of revenue is involved thereby for which previous consultation of the Finance Department is required.

(VII) Grants of Land, Assignments of Revenue and other Concessions, etc.

2.46. No grant of land or assignment of revenue, or concessions, grant, lease or licence of mineral or forest rights or right to water powers, or any easement, or privilege in respect of such concessions may be authorised or relinquishment of revenue allowed except with the sanction of the competent authority.

Supplementary instructions in regard to agreements relating to these matters are contained in Appendix 5.

(VIII) Recovery of Money due to Government from the Amount standing to Credit in a Provident Fund Account of a Government Servant.

2.47. The amounts at credit of subscribers, compulsory or optional, to a Provident Fund, are under section 2 (a) of the Provident Fund Act, 1925 compulsory deposits and are, therefore, protected from attachment by a court of law under section 3 *ibid.* Claims by Government are not, therefore, compulsorily and without the subscriber's consent recoverable from the balance at his credit.

(IX) Claims against the Railway for Goods Lost in Transit

2.48. The following instructions apply in respect to claims against the Railway for goods lost in transit:—

(1) Such cases are governed by section 91 of the Contract Act. When the buyer orders goods from the seller, delivery to the Railway by the seller has the same effect as delivery to the buyer, provided that the delivery has been made in the manner laid down by the Railway Rules and the consignor is absolved from liability as soon as he has made delivery in such a way that the Railway is responsible to the consignee. On the other hand, disregard of Railway Rules such as those dealing with declaring the nature of the goods will clear the Railway of all liability and in such a case, delivery to the Railway does not amount to delivery to the consignee. It follows that if the delivery is made in such a way that the Railway is responsible to the consignee, it is for the consignee to sue the Railway in case of loss. If this has not been done then the consignor must sue. In the former case, the consignee is liable for the price of the goods, in the latter case, he is not.

(2) It is open to a buyer to contract with the seller that the price of the goods is not payable until the goods have been received and examined, and the stipulation to this effect should normally be made in all cases where Government is the consignee. Payments prior to verification of quantity and quality of materials should be resorted to in very exceptional cases only, and then only with an agreement beforehand to ensure Government against all losses in the event of the goods received being short and defective. Such payments are to be classed as advances. Such contracts between buyer and seller do not, however, affect the Railway nor the question who is the proper person to sue Railway in case of loss.

3) It is immaterial as regards the question who is to sue Railway in case of loss in transit, whether the goods are consigned at

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owner's risk or Railway risk. In either case, the consignee has to sue, but if he has instructed the consignor to book at Railway will have a further remedy, i.e. one against the consignee as well as one against the Railway; he can sue the consignor for the amount which the Railway has succeeded in escaping from the necessity of paying in virtue of the "owner's risk" contract.

(4) It follows from the above principles that when the Government is the consignor great care should be exercised to ensure compliance with—

(a) Railway requirements;

(b) Requirements of the consignee as to class of risk note.

(X) Destruction of Accounts Records

2.49. The rules regarding the destruction of records appertaining to the accounts audited by Indian Audit Department are contained in Part I of Appendix 6 to these rules. The period will reckon from the termination of the complete years to which the records pertain.

Note.—For instructions regarding the destruction of records in the Public Works Department *see* Public Works Department Code.

(XI) System of Numeration

2.50. In all official documents number should invariably be marked off as follows:—

(1) In case of rupees— According to the Indian system of numeration, that is, after ten thousands, in lakhs, crores etc.

(2) In other cases, according to the English system of numeration, that is, after ten thousands, in hundred thousands, millions, etc.

H.P. GOVT. ORDERS

(1) Rounding off of Government transactions to the nearest rupee w.e.f. 1st April, 1987.— See Decision below Rue 4.10 of H.P. Subsidiary Treasury Rules.

(2) Civil Court Deposits/Payments not to be rounded off to the nearest rupee.— See Decision below Rule 4.10 of H.P. Subsidiary Treasury Rules.

(3) Accounting procedure relating to rounding off of cash transactions appearing in Petty Cash Book.— See Decision below Rule 4.10 of H.P. Subsidiary Treasury Rules.

ANNEXURE

(Referred to in rule 2.35)

INSTRUCTIONS FOR REPORTING TO THE ACCOUNTANT GENERAL DEFALCATIONS AND LOSSES AND REMISSIONS Of AND ABANDONMENT OF CLAIMS TO REVENUE ETC.

Losses

With the exceptions noted below, any loss of public money, departmental revenue or receipts, stamps, opium, stores or other property held by or on behalf of Government, caused by defalcation or otherwise, which is discovered in a treasury or other office or department, should be immediately reported by the officer concerned to his immediate official superior as well as to the Accountant General, even when such loss has been made good by the party responsible for it. It will usually be sufficient if the officer reporting the defalcation or loss to higher authority sends to the Accountant General either a copy of his report or such relevant extracts from it as are sufficient to explain the exact nature of the defalcation or loss and the circumstances which made it possible. Such reports must be submitted as soon as a suspicion arises that there has been a loss; they must not be delayed while detailed enquiries are made. When the matter has been fully investigated, a further and complete report should be submitted of the nature and extent of the loss, showing the error or neglect of rules by which such loss was rendered possible, and the prospects of effecting a recovery. The submission of such a report does not debar the local authorities from taking any further action which may be deemed necessary.

(2) If the irregularity be detected by Audit in the first instance then Accountant General will report it immediately to the administrative authority concerned, and if he considers necessary, to Government as well.

***Exception.*— Petty cases, that is cases involving losses not exceeding Rs. 200 each need not be reported to the Accountant General unless there are, in any case, important features which merit detailed investigation and consideration.**

Note 1.—Losses or deficiencies concerning buildings, land, stores and equipment should be written off any value or commercial account that may be maintained.

Note 2.—In case of a loss in which there is possibility of the Reserve Bank being made liable to Government either in respect of operation on Government account conducted by itself or by its agents or otherwise, the Accountant General will call for such further information as he may require on the subject. On receipt of this further information which must be obtained without delay he will at once make a report to the Finance Department. If there is any doubt or dispute as to the facts or the liability, the Finance Department will arrange with the authorities concerned for an officer of the Reserve Bank (and of the State Bank of India if the loss is in respect of an operation under its agency) and of Government to be appointed to examine the facts, while they are fresh. This examination will be directed towards reaching an amicable settlement of case, or if this is impossible at least towards clearing the ground as far as possible, so that a stated case may be referred to some outside arbitrator or legal authority. The investigation will be undertaken at once and independently of any departmental or police inquiry.

Note 3.—The officer receiving a report submitted to him must forward it forthwith to Government through the usual channel with such comments as may be considered necessary. He should also submit a detailed report, after completing such departmental investigations, as may be necessary or expedient, on the causes or circumstances which led to the defalcation or loss, the steps taken to prevent its recurrence and disciplinary or any other action proposed as regards the persons responsible.

Accidents

Any serious loss of immovable property, such as buildings, communications, or other works, caused by fire, flood, cyclone, earthquake or any other material cause, should be reported at once by the department officer to the head of the department and by the latter to Government. When a full enquiry as to the cause and extent of the loss has been made, the detailed report should be sent by the department officer concerned to the head of department, a copy of the report or an abstract thereof being simultaneously forwarded to the Accountant General.

Note.—All losses of immovable property such as buildings etc., caused by fire, flood or any other material cause, exceeding Rs. 5,000 in value, should be treated as "Serious" for the purpose. While losses not exceeding Rs. 5,000 in value should continue to be reported to the Head of the Department (and to the police, etc., where necessary), they need not be reported to Government or to the Accountant General, Himachal Pradesh whether the cost of restoration is chargeable to maintenance estimates or to some other Head of Account. The term "Value", for the purpose, should be interpreted as meaning the Book Value.

H.P. GOVT. ORDER

(1) Government vehicles - Report to Audit Office of loss suffered due to accident.— A report of the loss, if any, suffered due to the accident should also be made to the Audit Office according to the procedure laid down in the Financial Rules.

[Rule 33 of Rules regarding the Use and Maintenance of Government Vehicles and Conditions of Service of Drivers in H.P.]

Remission of and abandonment of claims to revenue

Heads of departments should submit annually on the 1st of June to the Accountant General, statements showing the remissions of revenue, and abandonments of claims to revenue, sanctioned during the preceding year by the competent authorities in exercise of the discretionary powers vested in them otherwise than by law or rule having the force of law. For inclusion in these statements, remissions and abandonments should be classified broadly with reference to the grounds on which they were sanctioned and a total figure should be given for each class. Individual remissions below Rs. 500 in amount and remission of land revenue should not be included in the statements. A brief explanation of the circumstances leading to the remission should be added in the case of each class.

Note 1.—Where the administrative year does not coincide with the financial year, the figures of the former, if this proves more convenient to the Departmental authorities, may be given in the statements.

Note 2.—Although the write-off a loan granted under the State Aid to Industries Act does not constitute strictly a remission of revenue or abandonment of a claim to revenue it should be included in the statement to be submitted to the Accountant General.

CHAPTER III

Special Rules for the Treasures

I.— INTRODUCTORY

3.1 The treasury is divided into two departments— that of accounts under the charge of an Accountant (Assistant Superintendent, Treasury) and that of cash, stamps, opium, etc., if any under the charge of a Treasurer as laid down in Treasury Rules.

The two departments should, as far as possible, be in different rooms.

II.— TREASURER'S DEPARTMENT

(I) The Treasurer

3.2 The duty of the treasurer is to receive and test all notes or coins brought to the treasury, to make authorised payments and to account for all receipts and payments. He is also required to keep an account of stamps, opium, etc., under his charge (either solely or jointly with the Treasury Officer).

(II) Treasure

3.3 Detailed rules for dealing with treasure, both specie and bank and currency notes are laid down in the Subsidiary Treasury Rules.

(III) Monetary limits for Stamps, Cash, Opium, etc., held in Treasurer's Custody

[1]**3.4** The Treasurers of all district treasuries, whether their business is conducted by the bank or not, may hold in their separate custody in single lock either —

(i) stamps up to the probable demand of one week with cash and opium combined to a value not exceeding Rs. 30,000.

(IV) Deposits in the Treasury of Cash Chests and Valuables of other Departments

3.5 No funds of other departments may be received in the treasury for safe custody and kept out of account or be received at all except under ordinary rules. *See* Subsidiary Treasury Rules.

3.6 For Special reasons, the Collector may direct the cash chests belonging to other Government departments, local bodies and co-operative banks and societies to be lodged in the treasury for safe custody. When the cash chests are so lodged, the fact be reported for the information of the

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[1] Rule 3.4 amended *vide* H.P. Govt., F.D., Notification No. Fin (C)-A (9) - 1/80, dated the 30th May, 1994.

Accountant General. A register should be kept in the treasury in which the receipt and return of the chest should be duly acknowledged. The key or keys of the chests must not be kept in the treasury nor shall the amount of such chest be brought into the accounts of the treasury. The Accountant General may report to the Government any case in which the permission appears to have been improperly granted by the Collector.

Note 1.—The Nazir's chest and the police chest may be kept in the treasury; but it is not necessary that they should be under double lock. They may be kept in the outer-room of the treasury. The cash chests of other district offices containing undisbursed pay of their establishment may also be put in the treasury in the same way. But money so lodged must be kept separate from the general treasury balance in a sealed bag or box, without being brought upon the accounts. The arrangement is an executive one, and it is not necessary to report it to the Accountant General, but a register in the form below should be maintained by the Treasury Officer, for each department using the outer-rooms of the treasury for the safe custody of its chest.

Register of receipts and return of departmental cash chests kept for safe custody in the Treasury outer room (to be in the custody of the treasury official when the chest has been returned to the depositor and to be in the custody of the depositor when the chest is lodged in the treasury).

To be filled in the departmental office			To be filled in the treasury		
Date on which the return of the chest is desired	Name of the messenger authorised to receive the chest	Signature of the person authorising the messenger to receive the chest	Signature of the messenger receiving the chest from the treasury	Date of deposit	Acknowledgement of treasury official

Note 2.—General permission has been accorded to local bodies, co-operative banks and co-operative societies depositing their cash boxes in the nearest Government treasury or sub-treasury subject to the following conditions :-

(i) that it must be established that the society cannot otherwise, except at unreasonable cost, arrange for the custody of its funds and papers either with a Government Savings Bank, or with an approved bankers or in some other safe manner;

(ii) that the society is required to use a strong box of moderate dimensions with a good lock , sealed with a proper seal, and does not harass the treasury staff by too frequent applications to open the treasury;

(iii) that the cash box is deposited in double lock unless the co-operative bank specifically asks n writing that it should be kept in single lock;

(iv) that Government shall not be liable for any loss of any kind whether the cash box is kept in double or single lock;

(v) that only those societies will be given the privilege in regard to which the Registrar of Co-operative Societies makes a recommendation;

(vi) that the Collector shall have the discretion to decline to receive the cash box if he considers that the available accommodation n sub-treasury or treasury building is inadequate.

Note 3.—The local bodies and co-operative banks and societies will be charged for the services rendered to them by the Government under this rule, at the rates prescribed in note 2 below rule 3.8.

3.7 **Bullion, jewellery, and other valuables, such as promissory notes, security deposits, etc., coming into the hands of a Government servant in his official capacity may be received in the treasury for safe custody at the discretion of the District Magistrate in the case of headquarter treasury and of the Sub-Divisional Officers, in the case of sub-treasury, the value of such articles must not be brought into the account of the treasuries. The Treasury Officer should once a month examine the condition of boxes of bullion, etc. and record the result of the examination in the register referred to in clause II of note 1 below. The deposit of duplicate keys in the treasury is regulated by the provisions of note 3 below.**

Note.— The following rules are laid down for the guidance of Treasury Officers in dealing with valuables deposited under this rule:–

I. When bullion, jewellery and other valuables, including current money, when such money is an exhibit in a criminal case, connected with any case, executive, or judicial, are placed in the treasury for safe custody under orders of the District Magistrate, Chief Judicial Magistrate or Sub-Divisional Officer as the case may be, they should be made up in a sealed packet, ant presented with a memorandum from the District Magistrate, Chief Judicial Magistrate, or Sub-Divisional Officer, as the case may be, containing a list of property and a statement of its actual or estimated value

II. The Treasury Officer, after satisfying himself that the packet is in order and the seal is intact, will note the receipt in the register of valuables in the following form and will return the memorandum to the District Magistrate, Chief Judicial Magistrate, or Sub-Divisional Officer, as the case may be, endorsed with a receipt for sealed packet, numbered and said to contain the property detailed on the reverse:–

No. of packet	Date	Case concerned	Circumstances and conditions of receipts	List and description of property said to be contained in the packet with value actual or estimated

Dated initials of		Note of final disposal with receipt of person to whom delivered	Dated initials of	
Treasury Officer	Treasurer		Treasury officer	Treasurer

N.B.—Each entry must be initiated by both the Treasury Officer and Treasurer.

III. The packets will then be kept in the same way as cash under double locks and should not be returned without the orders of District Magistrate, Additional District Magistrate or Sub-Divisional Officer, as the case may be.

IV. The Treasury Officer will maintain two registers one in the form shown in clause II above for bullion, jewellery and other valuables connected with cases which are not required to be taken out frequently and the other in H.P.F.R. Form 2 for similar articles connected with cases required to be taken out frequently. For depositing receipts of recognised banks rendered as security and received for safe custody at the treasury [*vide* Subsidiary Treasury Rules], the register should be in H.P.F.R. Form 3.

Note 2.—The confidential deed box belonging to a municipality may be received at a treasury for safe custody.

Note 3.—The duplicate keys of the iron safes and chests kept in Government offices for the custody of cash and other valuables will be received in the treasury strong room duly secured in sealed covers (*vide* notes below and H.P. F.R. 2.1). *See*, however, concluding of rule 3.7.

Note 4.—Treasurer's security bonds should be kept in the treasury chamber in a separate box, the key of which should remain with the Treasury Officer.

3.8 Government promissory notes belonging to a municipal committee (including a small town committee) should, if they are not likely to be returned within twelve months, be sent for safe custody to the Treasury Officer of the nearest Government treasury; in all other cases valuables belonging to the committee (including small town committee), should if there is a branch of the bank situated within the municipality or the small town committee concerned or at the headquarters of the district, be kept in that bank and if there is no such bank, be kept in the Government treasury in a strong box to be deposited in the double lock rooms, and the keys of such strong box may remain with such person as the committee may direct; provided that securities endorsed in favour of any person acting as a banker or any bank other than the Reserve or State Bank of India, and fixed deposit receipts of such persons or banks, other than the Reserve Bank or the State Bank of India, shall be deposited in the Government Treasury.

Note 1.—The provisions of this rule apply also to all other institutions other than Government departments.

Note 2.—The local bodies, Co-operative Banks and Co-operative Societies will be charged for the services rendered to them by the Government under this rule or under note 2 below rule 3.7 of these rules at the following rates:–

(i) Packets or boxes up to one kilogram in weight.	Rs.5 per quarter.
(ii) Packets and boxes weighting more than one kilogram. but not more then 5 kilogram.	Rs.10 per quarter.
(iii) Packets and boxes weighting more than 5 kilograms.	Rs.15 per quarter.

3.9 Title deeds, Government securities, all deeds or other documents purporting to convey a title or claim to any valuable security and all valuables not required for the immediate use of the Ward of the Court or his estate, shall be deposited in the treasury, in a strong box the key of which should remain with the Deputy Commissioner or the Manager. Within the box shall be kept a register in Form No.44 prescribed in the Court of Wards Account Code, in which should be entered every document or valuable article contained therein except securities filed by servants or contractors. Whenever a document or valuable article is removed, the fact shall be noted in columns 7 and 8 and the entry initialled by the Deputy commissioner, the date of return of such document or article shall be noted in the remarks column, the same number being retained for each document. On relief of the Deputy Commissioner or the Manager if he is in charge of the key of the box, a certificate stating the documents and articles handed over by him to his successor shall be entered in this register, over the signature both of the relieved and of the relieving officer.

Note.— The security bonds of Government servants employed in treasuries shall be kept in a locked box in the double lock strong room of the district treasury. The Treasury Officer shall be responsible for the safe custody of the bonds and shall keep the key of the box in his personal custody.

(V) Treasury Padlocks and Keys

3.10 (1) A register of all padlocks belonging to the headquarters and sub-treasuries and treasure chests shall be maintainted in the following form and kept in the headquarter strong room:—

Date of receipt	No. borne by padlock and keys	No. of duplicates received	Initials of Treasury Officer who received the keys	Place where the padlock is received	With whom are original keys	With whom are duplicate keys.	Date of removal of any duplicate key	No. and date of order sanctioning the removal	Initials of Treasury Officer; removing key

Separate pages shall be assigned to the headquarter treasury and for each sub-treasury or treasure chest. Each sub-treasury shall also keep a list of its own padlocks and keys in a similar form.

(2) Every padlock shall have a number impressed upon it or attached to it by a metal or other label and the same number shall be impressed on or attached to each key belonging to it. No two padlocks in the same district shall bear the same number.

(3) If a padlock becomes unserviceable or ceases to be required, or if any one of the keys belonging to it is lost, the circumstances shall be reported to the Commissioner of the Division, who shall pass orders regarding the disposal of the padlock and keys. No padlock, of which a duplicate key has been lost, shall continue to be used in the same district. No spare padlocks

should be kept at a sub-treasury or except with the permission of the Commissioner, at a headquarters strong room and duplicate keys shall not be kept at sub-treasuries.

(4) No local mechanic shall every be allowed to repair a treasury padlock or to make a new key for one.

Note.—All locks, keys and hinges, etc., in treasuries, sub-treasuries and other places should be inspected occasionally and more especially before the beginning of the monsoon when steps should be taken to treat all such objects with vesceline or oil of a suitable nature in order to prevent them from getting rusty. The vesceline or oil should be purchased out of the contingencies of the office concerned.

(5) All spare padlocks with their keys which are held in the headquarters strong room with the approval of the Commissioner of the Division and all duplicate keys, except those belonging to the locks of the headquarters strong room door, shall be kept in an almirah in the headquarters strong room, under double locks, the keys of the one lock being in the hands of the Treasury Officer, and the other in the hands of the Treasurer. The duplicate key of the lock of the almirah (containing the duplicate keys) shall be deposited with the Deputy Commissioner. The duplicates of the Treasurer's keys of the headquarters strong room (double lock) door and of the single lock where the double lock can be reached only through the single lock, shall be secured under the seal of the Treasury Officer and the Treasurer and made over to the Deputy Commissioner for safe custody. The duplicate of the Treasury Officer's key of the headquarters strong room door shall also be secured under the seal of the Treasury Officer and made over to the Deputy Commissioner for safe custody. Once a year, in the month of April, they shall be sent for, examined and returned to the Deputy Commissioner under fresh seals of the Treasury Officer and the Treasurer in the case of the Treasurer's key and of the Treasury Officer alone, in the case of his own key, a note being made in the duplicate key register that they have been examined and found correct.

(6) Whenever the charge of a treasury is transferred or a treasurer is changed, all padlocks and duplicate keys belonging to the treasury shall be examined and compared with the register, and a certificate shall be signed that they have been found to be correct.

(7) At every inspection of a treasury, the inspecting officer shall satisfy himself that the padlocks and all keys (except duplicate keys of the headquarters strong room locks deposited elsewhere) are correct and deposited in accordance with these rules, and shall make a note to this effect in his inspection report.

(VI) Treasurer's Records

3.11 (a) The Treasurer shall maintain a simple cash book (without subordinate registers), in which each receipt and payment shall be posted at the time and on the date on which they actually occur and in the order of occurrence. The Treasurer shall sign and immediately return to the Accountant (after the necessary entry in his accounts) all receipts for money received. He shall stamp all payment vouchers "Paid" and retain them for delivery to the Accounts Department when the books are compared.

Note.—When a payment is made "by transfer" the item will not find a place in the Treasurer's cash book. *See* also Subsidiary Treasury Rules.

(b) The Treasurer will also maintain stock registers for stamps, match excise banderols and opium in the custody of the Treasury Officer, — *vide* Article 31 of Account Code, Volume II.

(c) When stamps or opium have been sold, the total sale shall be entered before the cash book is closed and memorandum should be prepared and forwarded to the Accountant so that the necessary entry may be made in the accounts.

3.12 All accounts connected with treasury matters kept by Treasurer's subordinates and nominees, whether at the sub-treasuries or at the district treasury (except potedars), should be kept in English figures.

III.— ACCOUNTANT'S DEPARTMENT

(I) Introductory

3.13 The rules regulating—

(i) the form in which the initial or subsidiary accounts are to be kept;

(ii) the form in which the accounts compiled from these initial and subsidiary accounts, are to be submitted to the Accountant General; and

(iii) the rendering of accounts to the Accountant General on specified dates;

have been issued by the Comptroller and Auditor General of India and are contained in Account Code, Volume II. The forms referred to in (i) above can, however, be modified in matters of details by the Government in consultation with the Accountant General. Changes of a local nature can likewise be.

authorised by the Accountant General in respect of the forms referred to in (ii) above

(II) Classification of Transactions in Treasury Accounts

3.14 All transactions of receipt and payment occurring at a treasury should be classified in the treasury accounts in accordance with the provisions of Chapter II of Account Code, Volume II.

3.15 The form and procedure with regard to the initial accounts kept in the treasury and the methods and principles in accordance with which the accounts are kept are governed by the directions contained in the Account Code, Volume II. It is the duty of the Treasury Officer to satisfy himself that those directions are strictly observed, that the accounts are correct in all respects and that the record of receipts and payments, are so clear, explicit and self-contained as to be produceable, if necessary, as satisfactory and convincing evidence of facts.

Note.— A complete record of cash transactions and book transfers relating to the district treasury, including those of sub-treasuries within its jurisdiction, will be kept in the Accountant's cash book. Every item received or paid as well as all adjustments by transfer should be entered in the cash book or in some register subsidiary to the cash book in accordance with the directions contained in the Account Code, Volume II. The daily total from each subsidiary register should pass into the cash book.

The Treasury Officer shall prohibit any erasures or overwritings in the cash book and other registers of initial record or in any account or schedule and verify and initial every correction in them.

The Accountant shall maintain a cash book and other registers subsidiary thereto in accordance with the provisions of Articles 32 to 41 of Account Code, Volume II

1. In the case of receipts remitted by postal money order and adjusted by book transfer under Subsidiary Treasury Rules entries in the subsidiary register concerned may be made daily in lump under each detailed head of account provided that they are entered in sufficient detail in the departmental registers and that daily returns are submitted to the treasury.

2. A remittance of treasure, as son as it is despatched from or paid out of a treasury, should be charged off in the cash book, the words, "Local Cash Remittances" or "Foreign Cash Remittance" being the first words of the entry. This rule does not apply to Currency Remittances, i.e. remittances from a currency office or from another currency chest.

Similarly, immediately on the arrival of a remittance credit for the whole invoiced amount should be given in the cash book the same heading being employed, the place whence the remittance is received also being noted therein.

3. Fractions of a paise are not to be entered in the treasury accounts, and they should neither be received nor paid.

4. The Assistant Superintendent Treasury should maintain a record of challans received for credit of money in payment for stamps, and the Treasury Officer should compare this record with the register of receipts and issues of stamps maintained by the Treasurer on the day following the date to which the accounts relate.

A running account should be maintained and checked as the various items are recorded in the registers referred to above.

3.16 Vouchers pertaining to each schedule relating to the cash account or the list of payments shall be numbered consecutively in a separate monthly series and kept under lock and key in the order of payment till they are despatched. The vouchers pertaining to each schedule should be numbered consecutively in a monthly series as they are entered therein and attached to it arranged in their numerical order. Before despatch of the lists of payments and schedules the Treasury Officer shall, by inspection, satisfy himself that the required vouchers are all attached. He may find it profitable at intervals during the month to take up a schedule and see that all its vouchers are present and in proper order. As no payment can be made without a voucher, there can be no excuse for the absence of any unless it be that for a specie remittance.

(IV) Incorporation of Sub-Treasury Accounts

3.17 The transactions taking place at a sub-treasury should be reported to and incorporated in the accounts of the district treasury in the manner prescribed in Articles 47 to 49 of Account Code, Volume II. These transactions do not pass into the Treasurer's cash book.

Note 1.—If any items in the sub-treasury daily sheet cannot be classified for want of particulars, or owing to ommission, they should be taken tentatively to the head of account to which they seem to belong, and on receipt of the required information, transferred, if necessary, to the proper head.

Note 2.—Vouchers passed by the District Treasury Officer for payment at a sub-treasury may be incorporated in the accounts of the district treasury under the signature of the Accountant; all other vouchers should be incorporated under the signature of the Treasury Officer.

If a Treasury Officer owing to the volume of sub-treasury transactions finds it difficult to scrutinise each and every sub-treasury voucher, he may, at his discretion, leave over the work to the Accountant, a percentage check not less than 20 per cent being effected by him. All vouchers checked by the Treasury Officer himself must be initialled by him as a token of the fact that he has exercised the check.

(V) Closing of Accounts for the Day

3.18 Subject to the directions contained in this behalf in the Account Code, Volume II, the process of closing accounts for the day shall be as follows:-

(a) The daily total of each subsidiary register will be entered in the appropriate part of the cash book which will then be totalled, and the balance memorandum at the top of the Accountant's balance sheet will be drawn up strictly in accordance with the directions contained in Articles 50 to 52 of the Account Code, Volume II. To the account balance thus brought out, the additions and deductions indicated at the foot of the cash book form will be applied so as to bring out the cash balance at the district treasury.

(b) Meanwhile, the Treasurer will also sum both sides of his cash book and draw up his balance memorandum in the form of the Treasurer's daily balance sheet.

(c) If the results shown in the two balance sheets agree, the Treasury Officer should sign the two cash books and the two balance sheets. He should first satisfy himself of the correctness and good order of all these documents and should give special attention to the reconcilement of the account balance of the district with that actually in the headquarters treasury, the latter excludes the balance in sub-treasuries or under remittance within the district, which the former includes.

(d) The following is memorandum of some of the more important parts of the verifications. The Treasury Officer should --

(i) compare each entry of payment in a register with the payment order as laid in Subsidiary Treasury Rules ticking off each voucher as it is passed. This will not be necessary if the Treasury Officer adopts the alternative plan of having the account entry presented to him for initials at the same time that he signs the order of payment;

(ii) examine at least two of the totallings on each side, marking the totals as "Exd";

(iii) see that the totals are correctly carried from the register to cash book, initialling the totals as he thus compares them;

Note.—This must be done, in the case of receipt registers, even when the total for the day is blank, but it is not necessary to initial blank payment registers. If the number of blank receipt register is great, the following plan may be adopted. Such registers as are only rarely required for entry may be bound in a single volume and kept under the Treasury Officer's own lock. When the volume is required for entry, he should give out the register for the purpose, and he should receive it back at the time of signing the daily accounts, carefully seeing in doing so that all new entries in it are correctly carried to the cash book and initialling them accordingly. It is obviously necessary to guard against fraud or mistake of omitting to bring all entries from these registers upon the cash book; and this precaution is not complete if the Treasury Officer examines only those registers from which an entry is made upon the cash book.

(iv) verify the totals of the cash book or get it done by some principal subordinate officer other than the Accountant, who should initial it as correct;

(v) see twice every week that all vouchers are properly arranged.

(e) Before signing the Treasurer's daily balance sheet, the Treasury Officer should roughly verify the balance in the sole charge of the Treasurer, as shown in that sheet, and satisfy himself on the following points:-

(i) that no uncurrent coins are left in charge of the Treasurer;

(ii) that no more small silver and copper, bronze and nickel coin is so left than is actually required for current use;

(iii) that the whole balance in sole charge of the Treasurer never exceeds his current requirements;

(iv) that the record of challans maintained by the Accountant [*vide* sub-rule (4) below rule 3.15] tallies with the Treasurer's cash book.

(f) The Treasury Officer should always be careful to sign the Treasurer's balance sheet in the evening of the day itself to which it refers, but the signature and comparison of the Accountant's books need not be made till the following morning unless the office is to be closed for two or more days. The Accountant's balance sheet must not be signed, until it has been carefully agreed with the Treasurer's.

Note.—Ordinarily, the Treasurer's balance sheet should be compared and agreed with that of the Accountant before closing the treasury for the day and it is only when pressure of work renders this impossible that the comparison may be postponed till the following morning. When this is necessitated, the certificate over the Treasury Officer's signature at the foot of the Treasurer's balance sheet should be altered in manuscript by cancelling the words "agreed with the Accountant's daily balance sheet" and before the form is signed by the Treasury Officer which must be done before closing for the day. An additional certificate will then be added and signed by the Treasury Officer in the following morning, *viz.*, "agreed with the Accountant's daily balance sheet". For the 31st March and first few days of April it will be necessary for the Accountant to prepare a separate rough balance sheet on each of these days for comparison with that of the treasurer as the completion of the Accountant's balance sheet for the 31st March has to await the receipt of the sub-treasury accounts *(See* rule 3.19).

2. In the Accountant's balance sheet there is not one figure which the Treasury Officer has not ample means of verifying; the opening entries agree with closing ones of the preceding day; the receipt and charge are taken from the cash book; the amounts shown as sub-treasury balance can be ascertained in a few moments from the daily sheets of sub-treasurers, and any change made since the previous day in the amount under remittance within the district must be supported by an entry in the sub-treasury sheets, or in the Treasurer's cash book. The balance in the district treasury is shown in the Treasurer's balance sheet; and in that part of it which is under joint locks no change can be made without the active intervention of the Treasury Officer himself.

3. Under note 2 to rule 3.55 the daily account of the bank carrying on the business of a Government treasury may with the concurrence of the Accountant General be submitted to the Treasury Officer on the morning of the day following that to which it refers. In such cases the signature and comparison of the Accountant's books may be made in the evening instead of the morning of the day on which the bank's account is received provided that pressure of work renders it necessary so as to postpone it.

(VI) Closing of Accounts for the Month

[1]**3.19** The formal closing of accounts of the sub-treasury for the month shall be the last day of the month like that of treasuries i.e. the transactions taking place even on the last day of the month should be incorporated in the accounts of the same month of the sub-treasury before submission thereof by the sub-treasury to the treasury and by the latter to Audit Office.

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[1] Rule 3.19 substituted *vide* H.P. Govt., F.D., Notification No. 1-3/74-Fin. (Reg.). dated the 5th September, 1975.

3.20 (1) In closing the accounts of the district treasury for the month, the month's totals of the subsidiary registers will be carried into the cash account in the case of receipts, and into the list of payments in the case of payments, the cash account being closed in accordance with the directions contained in the Account Code, Volume II. The cash must be verified by actual counting and the cash balance report made out in accordance with the procedure prescribed in the Subsidiary Treasury Rules.

(2) The monthly cash account shall be subjected to a very careful check by the Treasury Officer, when it is laid before him. He must satisfy himself that the opening and closing balances of this account are not merely deductions from accounts but are statements of facts certified to have been verified by actual enumeration of coin and notes. The Treasury Officer shall also check each entry in the cash account and list of payments with the corresponding total in the cash book and see that the totals of all the registers are correctly carried into the cash book.

Note 1.—If at any time, the Treasury Officer be unable to compare all, at least he may compare some; notably, he should compare the entries in the plus and minus memorandum of deposits, stamps, etc., with entry in the account, *e.g.*, the plus and minus memorandum shows a reduction in the stock of judicial stamps to the value of Rs. 5,000; if the credit in the account be less, the difference must be traced and satisfactorily accounted for.

[1]Note 2.—Any amount found surplus in treasury balances should under Article 54 of Account Code, Volume II, be brought to account in the State Account under the head "0065 -- Other Administrative Services – Other Receipts – Miscellaneous Receipts". Surpluses found in the Currency Chests are credited to the Reserve Bank.

Note 3.—Special attention is invited to the rules in Chapter I, III and V of the Subsidiary Treasury Rules defining the duties of District Officers in regard to the verification and certification of the monthly cash balance and to the signing of the monthly cash accounts.

(VII) Returns to the Accountant General

3.21 The cash account, the list, schedules of payment and other returns prepared in the forms and manner prescribed in Chapter IV of Account Code, Volume II, should be submitted to the Accountant General punctually on the dates laid down therein (*see* also Article 93 *ibid*). With regard to the punctual transmission of the accounts and returns the Government shall view with severe displeasure any avoidable delay on the part of the district officer or the Treasury Officer in the despatch of the prescribed accounts and returns, complete schedules and vouchers, also the cash balance report and the cash account with schedules and papers complete.

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[1] The head of account in Note 2 under Rule 3.20 (2) changed due to revision of the structure of classification w.e.f. 1-4-87.

Note 1.—The first schedule of payments with connected vouchers and a Memorandum in Form T.A. 48 should be sent to the Accountant General on the 10th and in case of bank treasury on the 11th of the month and the Cash Account and the List of Payments with supporting schedules and the connected vouchers together with the Memorandum in From T.A. 48 should be despatched to him on the first day of the following month, the delay will be recorded by the Accountant General in the Treasury Irregularity-Statements and will be specifically brought to the notice of the Government in the annual review on the working of treasuries. Great importance is to be attached to the punctual submission of accounts, as the delay on the part of treasuries necessarily delays work in the Accounts Office.

Note 2.—The returns due for despatch on a holiday may be sent one day (but not more than one day) late.

3.22 The verification of the stock of opium should be conducted in the months of September and March each year and a certificate in the form given below submitted to the Accountant General with the plus and minus memorandum of opium transactions for those months.

" I do hereby certify that I have personally examined and counted or had counted in my presence the stock of excise opium in store in this local depot on September/March, 19....., and found that the weight of opium in stock tallies with that given in treasury registers. Also that I have received similar certificates from the officer in charge of the subordinate treasuries that they have similarly checked the stock of opium in the sub-treasuries on the last day of the month of September/March, 19....., and found the stock tallying with the accounts maintained therein.

The total stock of opium in this treasury and sub-treasuries as found by the above certificate examination is as follows :-

1. Chest .... Weight......... q........... kg.
2. Bricks .... Weight......... q........... kg.
Total Weight......... q........... kg.

which weight agrees, with the balances shown in the plus and minus memorandum for September/March, 19...., to which this certificate is attached. (If there is any difference add "with the exception of the following differences the explanation of which is as follows").

Note .— Actual weightment of opium is not necessary, a mere count of cakes of opium in the opened chests and the count of boxes with the factory seals intact in the case of unopened sealed boxes is sufficient.

3.23 (i) In addition to the returns mentioned in rule 3.21 the Treasury Officer should submit to the Accountant General every six months a statement of cases of failure to draw pensions. The statement should be prepared in two parts. One part will show the names of all pensioners who have not drawn the pensions for six years in the case of "Pensions for political considerations" and "Charitable allowances" and for three years in the case of other pensions. The other part will show the names of pensioners other than those included in the first part who have not drawn their pensions for more than one year. The reason for the non-drawal, if known, should be stated against each name.

The Treasury Officer should sort out cases of pensions which have ceased to be payable at the treasury (*vide* rule 2.28) by examining the files of Civil Pension Payment Orders every month and return his halves of the Pension Payment Orders to the Accountant General along with the statement mentioned above.

(ii) A list of other periodical and occasional returns to be submitted to the Accountant General, Is printed as Appendix 8, See also Article 120 of Account Code; Volume II.

(VIII) Erasures, Overwritings and Corrections

3.24 Treasury figures should never be altered after they have been communicated to the Accountant General, but if after submission it is discovered that an error has been made, the error should be pointed out, in order that he may correct, not the accounts of the treasury, but the accounts which he draws up on their basis. A note should be made in the original account of the communication of the error to the Accountant General.

Requisitions for correction of accounts should invariably state how the error arose and how it was brought to light and how far the treasury was responsible for the original error.

(IX) Special Rules relating to Particular Departments or Particular Kinds of Payments

(Note.—Detailed rules in respect of procedure to be followed at the treasuries in regard to the transactions connected with Reserve Bank drafts and Reserve Bank Government drafts, deposits and local funds are given in Chapters XI, XII, and XIII, respectively. Rules relating to other matters are given below).

(A) Letters of Credit

3.25 When an officer in charge of Public Works or Multipurpose Projects and Power Department or Forest Division regulates the monthly drawings of his subordinate officers by letters of credit as laid down in Subsidiary Treasury Rules the amount of every cheque drawn by the subordinate officers during the month must without fail be noted by the treasury at the time of passing it under the Treasury Officer's initials (irrespective of the date of payment) on the reverse of the letter advising the limitation, and a balance struck. The entry in the register or schedule of cheques paid should, however, appear under the date of actual payment.

Note 1.—A letter of credit is an authority to honour cheques, and payments can only be made on cheques drawn against it.

Note 2.—The accounts of all Public Works, Multipurpose Projects and Power and Forest Officers are not closed on the last day of the calendar month. The letters of intimation will, therefore, specify the dates of commencement and termination of the month in each case and the intimations advised therein should be held to be applicable to be drawn during the months thus defined. Any undrawn balance is not available for drawings in subsequent months

H.P. GOVT. ORDER

(1) Introduction of Letter of Credit scheme to regulate the spending by P.W.D.— See Decision below Rule 4.90 of H.P. Subsidiary Treasury Rules.

(B) Public Works Department/Multipurpose Project and Power Department

Receipts

3.26 Whatever sums are paid into a treasury by an officer of these departments or on his account must be carried to the credit of that department in the civil accounts, and not to a separate deposit account.

Note.—This rule applies also to deposits made at the instance of the Public Works Department by municipalities or other local funds or bodies, to meet the cost of works to be carried out by that department. In this case the accompanying challan as laid down in Subsidiary Treasury Rules should state clearly the name of the Division to which the amount is creditable and of the work to which the deposit relates.

3.27 All receipts on account of the Public Works Department and Multipurpose Projects and Power Departments are recorded in a register in Form T.A. 10 (*vide* Article 57 of Account Code, Volume II), care being taken to show remittances received from departmental officers and their subordinates separate from those received from others on their account. An extract from this register will be made and sent to the Accountant General with the cash account as a schedule of receipts (*See* also Subsidiary Treasury Rules).

Payment by cheques

3.28 Payments made on cheques are recorded in the register of cheques paid in Form T.A. 11; but no entries will be made in the column for "balance", there being no letters of credit. *See* also Article 104 of Account Code, Volume II.

Pass Book

3.29 The amount of each cheque paid must be recorded also in a pass book or list of cheques cashed in H.P.F.R. Form 4, which will remain with the Divisional Officer, and be sent by him periodically to be written up by the Treasury Officer from the register of cheques paid, details of cheques paid at the bank or at a sub-treasury being taken from the daily sheets.

Note 1.—A Divisional Officer at the headquarters station should send his pass book to be written up every week; that of a Divisional Officer at a distance may be forwarded at longer intervals, but the dates should be fixed. A Divisional Officer, having banking accounts with two treasuries will, of course, have two pass books.

Note 2.—It is not necessary that each entry in the pass book should be initialled by the Treasury Officer. It is sufficient if he signs at the end of each month when the balance is struck off.

Note 3.—In the pass book, the number of the cheque book should be noted at the top of each page. When cheques issued out of more than one book are entered on any page the entries in the column "Particulars" of the pass book, should distinguish the cheques of each book, but the book number need not be repeated in respect of each cheque.

Monthly Settlement

3.30 The Treasury Officer shall arrange to have a monthly settlement very early in the month with the Divisional Officer; he should have the pass book written up in respect of cheques cashed during the various months and return after signature the consolidated receipt sent to him by the Divisional Officer for the whole of the remittances sent by him and his subordinates during that month. He shall also furnish the Divisional Officer with a certificate of total issues as follows:—

"I hereby certify that the total issues made from this Treasury on cheques drawn against the account of Shri ...., Officer-in-charge, ... Division during ......, 19......, amounted to Rs. .... (in words) ...."

(C) Forest Department

3.31 Remittances by Forest Officers and payments made to them should be accounted for in the treasury in accordance with the provisions of Article 102 and 58 of Account Code, Volume II.

3.32 The leave salary of gazetted Government servants of the Forest Department on leave in India at a place where there is no forest disbursing officer may be drawn from the treasury on presentation of bills in the same way as gazetted Government servants of the Civil Department and debited in the treasury accounts in the same way as Forest cheque (*vide* Article 5 of Account Code, Volume II).

(D) Pensions

Pension Payment Orders

3.33 (a) On receipt of a Pension Payment Order, the Treasury Officer will deliver the pensioner's portion to the pensioner and keep the disburser's portion carefully in such manner that the pensioner shall not have access thereto.

(b) The Treasury Officers are authorised to renew Pension Payment Orders without reference to the Accountant General, in cases in which pensioner's portion is lost, worn or town, or the entries on the reverse of either the pensioner's or the disburser's portion are completely filled up. The renewed Pension Payment Orders shall bear the old number, date and fascimile of signature of the issuing officer and the old ones, if available, shall be retained by the Treasury Officer for three years and then destroyed. On the renewal of a Pension Payment Order, the portion of the original order containing the fascimile of the pensioner's signature, or his thumb impressions, as the case may be and the copy of his photograph, where it is kept, shall be cut off from the old and pasted on the senewed Pension Payment Order, before the latter is signed by disbursing officer. A note of the issue of the new Pension Payment Order should also be made in the "Remarks" column of the register (Form S.T.R. 35). On the death of a pensioner, the Pension Payment Order should, after payment of the arrears of pension, be returned to the Accountant General with a report of the date of death of the pensioner.

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1. For alteration in pensioner's name in the Pension Payment Orders *see* Subsidiary Treasury Rules.

2. For entries regarding payments on the reverse of Pension Payment Orders *see* Subsidiary Treasury Rules.

Verification of continued existence of non-service pensioners

3.34 Tahsildars should be furnished with lists of non-service pensioners resident in their respective jurisdictions, and when fresh pensions are granted the necessary particulars should be communicated to them for inclusion in their lists to enable them to become acquainted with the pensioners resident in their jurisdiction and to satisfy themselves that they are in existence.

In case of exemption of male pensioners from personal attendance to draw their pensions, the tours of district or other officers may be taken advantage of to verify their continued existence.

3.35 When a half-yearly pensioner fails to apply for his pension for two consecutive half years or when a monthly pensioner fails to apply for his pension for six consecutive months, enquiry should at once be instituted at his home through the Tahsildar, to ascertain the cause of the failure and such further measures should be adopted as the result of the enquiry may suggest.

(E) Money Orders

Remittances by Money Orders

3.36 Payments to the Post Office foe money orders issued by Treasury Officers, are not made in cash, but the amounts are credited to the Post Office in the Treasury Accounts by book transfer (*see* also Subsidiary Treasury Rules).

Money Orders in favour of District and other Officers

3.37 The provisions contained in Subsidiary Treasury Rules applies *mutatis mutandis* to money orders in ordinary form issued in favour of the district officer in payment of revenue under his management.

Ordinary money orders in favour of other Government servants in their official capacity are paid in cash unless a written requisition has been sent to the Post Office by the Treasury or Sub-Treasury to pay them by book transfer.

All money orders in favour of any local body entitled to bank at the treasury or sub-treasury are also paid by the book transfer.

IV -- MISCELLANEOUS RULES AND ORDER

(I) Instructions for the Treasury Staff

3.38 (1) Treasury Clerks are forbidden to undertake the encashment of bills or vouchers on behalf of payees.

(2) Treasuries are forbidden to make payments through Treasury Clerks or office servants sent to them by the Clerks.

(3) It is most important that that treasury staff should identify the messengers presenting bills at the treasury for payment. To facilitate this identification, it is recommended that the drawing officers should see that, as far as possible, the same man is sent to the treasury to receive payment and that, when a change is made, the new messenger should, on first appearance, be accompanied by someone who can identify him.

(4) A copy of these rules should be hung up in a conspicuous place in the treasury in order that they may be made known as widely as possible.

(II) Notices regarding Closing of Treasuries, etc.

3.39 Notice should be posted up conspicuously in the office, of the hour at which the treasury closes for receipts and payments of money, which should be, at least an hour before the end of the day's work, in order to give time for closing and agreeing the accounts.

Note 1.—If any local order of competent authority requires that the treasury on any day be kept open till a named hour, the accounts cannot, of course, be closed till after that time but should then be closed and agreed in the usual manner before any one leaves office.

[1]Note 2.— (i) All Banking and Non-Banking Treasuries and Sub-Treasuries in Himachal Pradesh shall remain open for public transactions from 10.00 A.M. to 1.30 P.M. on working days and 10.00 A.M. to 12.00 Noon on 10th and last working day of the month.

(ii) The credit challans for deposit of money will, however, be passed throughout the day.

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1. Note 2 below Rule 3.39 substituted by H.P. Govt., F.D. Notification No. Fin(C)-A(3)-7/76, dated the 21st May, 1976.

(iii) Stamps etc. would similarly be issued in the Treasuries and Sub Treasuries upto 3.00 P.M. against the receipted challans of Bank/ Treasury/Sub-Treasuries.

Note 3.—Treasuries should be closed for public business only on those days which are notified by Government as public holidays for observance in public offices.

Note 4.—The Deputy Commissioner of a district may order the opening of a treasury or a sub-treasury on a holiday for the purpose of transferring the charge of the treasury or sub-treasury or for making payment to the Military or Postal Departments in cases of emergency.

Note 5.—To meet the requirements of the defence services, in the event of emergency not entailing mobilisation, and on mobilisation the treasuries and the sub-treasuries will be kept open even on holiday in accordance with the following procedure:—

(a) The Station Commander to make a written request to the Deputy Commissioner/Collector concerned intimating which treasury/sub-treasury is to be kept open up to four consecutive days from a given date for transacting military official business only, and to forward a report of this action to Army Headquarters and to intermediate formations; and also to forward to the Secretary to the State Government in the Finance Department a copy of this written request to the Deputy Commissioner.

(b) The Deputy Commissioner/Collector receiving the intimation (i) to arrange for the treasury/sub-treasury to be kept open on the specified date or, where Government treasury work is done by State Bank of India, to request the Agent to keep the branch open for transacting military official business, and (ii) to inform the State Government in each case of the action taken.

3.40 (a) The Treasury Officer shall personally see that the notices which he is required to exhibit, under standing orders or other instructions received from time to time, such as those regarding the encashment of notes, the supply of small silver coin, nickel and copper, etc., are exhibited conspicuously in places which the public enters freely and that no favouritism is shown in the conveniences which the treasury can offer.

Note.—Notices regarding financial matters which may, in any way, commit the Government with the public other than those issued by the Revenue or other departments with which the Currency Officer is not concerned should not be exhibited in any treasury unless its form is previously approved by the Currency Officer.

(b) The instructions in regard to procedure to be observed in receiving money into and giving out of double locks (*see* Subsidiary Treasury

Rules) should be pasted on a board and hung up in a conspicuous place in the treasury chamber for the guidance of the officer-in-charge.

(III) Admittance into the Treasury

3.41 No person unconnected with the treasury should on any pretence be allowed admission either into the Accountant's or Treasurer's room beyond the bar or the counter.

3.42 No one except the Treasury Officer shall be admitted into treasury after the work of the office has closed for the day without a written order from Treasury Officer. The police guard to whom the charge is formally given at the close of every day is responsible for seeing that this rule is carried out. A copy of this rule (with a vernacular translation) should be hung up within view of the guard, and the Treasury Officer is responsible for seeing that this is done.

(IV) Correspondence with the Accountant General's office

3.43 Official post-cards should not be used in correspondence with the Accountant General's Office, and all letters and dockets should be written on half margin, on either foolscape size paper or on the forms specially supplied for the purpose. The letters and dockets form supplied for other departments should not be used as the files of the Account Office require to be kept in proper order.

(V) Forms

(a) Accounts and other Treasury Forms

3.44 The annual indent for treasury account and other forms should be prepared in the prescribed printed form and submitted direct to the Controller of Printing and Stationery, Himachal Pradesh, on the 1st November, each year by the Treasury Officer for supplies required for his district for the ensuing financial year. For indents for cheque forms, the special form prescribed, should be used and it should be filled up in accordance with the instructions printed at the foot of the form and forwarded to the Account Office in January each year, so that no delay may occur in issuing the forms. Supplementary indents, which not only increase work but add to the cost of packing and conveyance, should be avoided as much as possible and should be submitted only in case of real urgency, when the necessity for them should be fully explained.

Note.—All forms for use by municipalities, small town committees, etc., are supplied by the contractor selected by the Controller of Printing and Stationery, Himachal Pradesh.

(b) Cheque and Receipt Books

3.45 Cheque books for use on treasuries and the bank are obtained by the drawing officers from the district treasury concerned as provided in Subsidiary Treasury Rules. Stocks of books required for this purpose will be kept by the Treasury Officer, supplies being obtained annually from the [1][Deputy Secretary (Finance)]. Cheque books should on receipt be examined carefully and the number of forms in each book should on receipt be examined carefully and the number of forms in each book should be counted. Similarly, they should be examined again when issued to disbursing officers, and care should be taken to see that they are acknowledged by the latter promptly.

1. This rule also applies to departmental receipt books, required for issue to officers of the Public Works/Multipurpose Projects & Power Department.

2. A statement should be sent quarterly by the Treasury Officer to each Divisional Officer giving the numbers and dates of all Public Works cheque books and receipt books issued on requisitions received from him and from each of his Sub-Divisional Officers.

(VI) Books

(a) Cypher Code and "Treasury Agencies" Private Check Signal Book of the Reserve Bank of India

3.46 (1) The Currency Officer of the Reserve Bank of India supplies the Cypher Code and "Treasury Agencies" Private Check Signal Book of the Reserve Bank of India to each Treasury Officer and to the Sub-Treasury Officer of each Sub-Treasury which has a currency chest. The Cypher Code should be used for telegrams relating to currency and resource matters and the Check Signal Book for authenticating all telegrams relating to telegraphic transfers. Both should be treated as strictly confidential.

(2) A Treasury or Sub-Treasury Officer who holds copies of the books should never take them away from the treasury premises but should keep them in either a safe (if there is one available) or a locked tin box with a close fitting lid in the strong room of the treasury or sub-treasury under conditions which ensure not only their security but their safety from damage, and keep the key of the safe or box always in his personal custody. When he takes the books out for use, he should always keep them in his personal custody. The loss of copies of the books may involve the Government and the Reserve Bank in considerable loss before protective measures could be adopted and Treasury and Sub-Treasury Officer, should, therefore, exercise the greatest possible care in regard to the custody of their copies of the books and see that they are always as carefully safeguarded as the currency chest balances.

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[1] Substituted *vide* H.P. Govt., F.D., Notification No. 15-4/71-Fin(R&E)-I, dated the 7th March, 1974.

(3) A Treasury or Sub-Treasury Officer who holds copies of the books should never on any account hand them over to any one other than a Government servant duly authorised to take charge of the duties of his post from him. When a Government servant who holds copies of the books is relieved of his charge he should hand over the copies of the books in his custody to the relieving Government servant and the latter should note in his own hand the following certificate in the certificate of transfer of charge:—

> "I hereby certify that I have received and hold in my personal custody copy/copies of the Cypher Code of the Reserve Bank of India together with Supplement Nos. .... which has/have been corrected up-to-date. The last amendment slip received is No....., dated the ...... for the Code....... I also certify that I have received and hold in my personal custody copy/copies of the "Treasury Agencies" Private Check Signal Book of the Reserve Bank of India which has/have been corrected up-to-date. The last amendment slip received for the Check Signal Book is No. .... dated .... the ,......"

(4) Should the Cypher Code or the Check Book get lost or fall into unauthorised hands at any time the fact should immediately be reported by telegram to the Chief Accountant, Reserve Bank of India, Bombay, for necessary action. In cases where the books were supplied through a Currency Officer, the telegram should be repeated to him for information. A detailed report regarding the circumstances attending the incident, the steps taken to trace the book in the case of loss and the precautions taken to prevent a recurrence should be submitted direct to the Chief Accountant of the Reserve Bank as soon as possible thereafter if the book was supplied by him. In cases where the book was supplied by a Currency Officer, the report should be sent through that official who will forward it to the Chief Accountant of the Reserve Bank with his remarks regarding the supply of fresh copy of the Cypher Code or Check Signal Book. In the event of amendment slips being lost or falling into unauthorised hands, an immediate report by letter, and not by telegram, should be made to the Chief Accountant, Reserve Bank, or to the Currency Officer concerned according to the source of supply. Thereafter a detailed report similar to that prescribed above for the Cypher Code and the Check Signal Book should be submitted to the Chief Accountant of the Reserve Bank direct or to the Currency Officer concerned according to the source of supply.

A copy of the report sent should invariably be endorsed to the Secretary to Government, Himachal Pradesh, Finance Department.

(5) Any payment that the Government may be required to make on account of the loss of the Cypher Code or the Check Signal Book, will have to be made good by the Government servant due to whose negligence the claim against Government arises. Holders of these publications should, therefore, exercise extreme care for their proper custody.

(6) On the 1st of April, each year, every Government servant having copies of the Cypher Code or the Check Signal Book should send to the Currency Officer an acknowledgement for the number of copies held by him. The Treasury Officers should include in their acknowledgement the copies held by their respective Sub-Treasury Officers.

Note.— (i) Correction or amendment slips to the Cypher Code and the Check Signal Book including supplements and corrections thereto are as important and confidential as the main books and the above instructions apply to them also. Immediately on receipt of amendment slips, the reference number and dates appearing thereon should be serially recorded on a fly-leaf, at the beginning or end of the book, under the signature of the Treasury or Sub-Treasury Officer on the date on which each amendment becomes effective, which is generally given in the covering letter or on each slip, the amendment should be pasted at the appropriate place in the book and the fact that the amendment has been carried out should be noted in a separate column under the signature of the Treasury Officer or Sub-Treasury Officer against the entry already made on the fly-leaf when the amendment slip was received.

Note.— (ii) A Treasury Officer who sends to a Sub-Treasury Officer, corrections or amendment slips should enclose them in double covers of which the inner one should be sealed, marked "Confidential" and addressed to the officials concerned by their personal names, i.e., the inner cover should be addressed "To Shri A" if in headquarters and otherwise "To Shri B". At 'A' shall be written the personal name of the Tahsildar or Naib-Tahsildar in charge of the Sub-Treasury or the personal name of the officer who acts as Sub-Treasury Officer in the absence of the Naib-Tahsildar. The outer cover should be addressed to Sub-Treasury Officer by designation only and not marked "Confidential" or sealed. The cover should then be despatched by registered post, acknowledgement due and the Sub-Treasury Officer who receives the cover should immediately sign the postal acknowledgement for return by the Postal Department to the Treasury Officer. When the Tahsildar or Naib-Tahsildar is on tour the Sub-Treasury Officer who opens the cover should acknowledge the contents in a separate letter to the Treasury Officer and should hand them over to the Tahsildar or Naib-Tahsildar immediately on his return to headquarters. The latter should send his acknowledgement for the contents to the Treasury Officer in all cases as soon as he receives them. The Treasury Officer should watch for the prompt return of the acknowledgement and should not close the case till he has received a separate acknowledgement from the Tahsildar or Naib-Tahsildar concerned as well as the postal acknowledgement slip.

(b) Confidential Pamphlets, etc.

3.47 Memoranda of treasury frauds and other pamphlets or books of a confidential nature, should be kept in the custody of the Deputy Commissioner or Treasury Officer, and on no account should any member of the establishment be allowed access to them.

(C) Corrections to Financial and other Rules

3.48 An extra copy of each list of corrections to the Subsidiary Treasury Rules, Financial Rules, etc., supplied to treasuries, should be kept in a separate file.

(VII) Destruction of Treasury Records

3.49 The periods after which treasury records may be destroyed are given in the statement appearing in Part II of Appendix 6.

Note.— For the reckoning of periods *see* rule 2.49.

V.— SUB-TREASURIES

3.50 The general procedure followed at the treasuries as detailed in foregoing rules and the rules in other part of this book applies *mutatis mutandis* to sub-treasuries also. *See* also Article 27 of Account Code, Volume II. Detailed rules relating to sub-treasuries are contained in the Sub-Treasury Manual.

VI.— SPECIAL RULES FOR THE TREASURIES OF WHICH THE BUSINESS IS CONDUCTED BY THE BANK

(I) General

3.51 At places where there are branches of the State Bank of India, which act as agents of the Reserve Bank of India, in accordance with the provisions of the Reserve Bank of India Act (Act II of 1934) the treasury business is conducted by those branches of the State Bank as agents of the Reserve Bank of India.

3.52 The following rules for the guidance of Collectors and Treasury Officers and the officers of the bank in conducting the business of the Government treasuries banking with such branches, include information on most points likely to arise but in cases of doubt and as a general rule, the usage hitherto observed at the local treasury will be followed. The term "Collector", includes the officer in charge of the treasury, by whatever designation he may be called.

(II) Accounts

3.53 The books and accounts to be kept by the bank will consist of:—

The scroll cash book, being the primary record.

A daily account of the receipts and payments, made up for despatch to the Collector.

An account in the general ledger, in the name of the Himachal Pradesh Government.

A pass book to be daily forwarded to and returned by the Collector.

Note.— Separate books and accounts should kept for Central transactions, *vide* Article 42 of the Account Code, Volume II.

3.54 In the scroll cash book will be entered all receipts and disbursements on account of Government. The net amount only of documents paid, on which deductions have been made, will appear in this book, and the total of each side will form the daily entries in the general ledger.

(III) Daily Returns

3.55 In the daily account such payments and receipts will be classified as may be directed by the Accountant General, in order that their arrangement may fit in with the forms prescribed for accounts kept at the treasuries. The daily account will be prepared every day and the Manager or Agent, as the case may be, after satisfying himself as to its accuracy, will docket and forward it to the Collector, with the register of daily receipts and payments and with all the appertaining vouchers at the close of the day. The net amount of payments only are to be entered, that is, when a deduction is made from the amount of a bill, the daily account will show only the amount paid after deduction and not the gross amount of the demand. *See* also note 1 below Article 43 of Account Code, Volume II.

Note 1.—It is of importance that these documents be secured in a locked box when sent by the Manager or Agent, as the case may be, to the Collector, in order that there may no possibility of any alteration or abstraction of any paper before they reach the hands of the Collector.

Note 2.—With the concurrence of the Accountant General the daily accounts may be submitted on the morning following the date to which they refer, instead of at the close of the same day; but the transactions shall invariably be incorporated in the treasury account under the date on which they take place at the bank.

Note 3.—*See* also Subsidiary Treasury Rules.

3.56 The register of daily receipts and payments has five columns for (1) the date, (2) the total receipts for the day, (3) the total payments of the day, (4) the initials of the Manager or Agent, and (5) the initials of the Collector. It will be written up and forwarded with the daily account to the Collector (*vide* rule 3.55) the entries being certified by the initials of the Agent in the 4th column. The Collector will check receipts and disbursements columns of the daily account, agree their totals with the figures entered in the register and examine the vouchers, and after initialling in the 5th column of the register in token of his verification, will return the register to the Agent the same day or the following morning.

Note.— *See* also note below rule 3.53.

(IV) Treasurer

3.57 The rules regarding (1) remittance of treasure from the bank and the entertainment of extra potedars if necessary for the purpose, and (2) testing of remittances made to the bank from Government treasuries, are laid down in the Subsidiary Treasury Rules.

(VI) Additional Rules for District Officers

Registers of Challans issued and of Orders for Payment

3.58 The district officer must maintain two registers *viz.*, a register of challans issued and a register of orders for payment. The former of these may be worked by departments, the challans of the land revenue being passed and registered by the Land Revenue Department of the district officer's office, those of excise revenue by the Excise Department, and so forth.

Daily Posting of Accounts

3.59 When the daily account with the challans and vouchers is received from the bank, the account will first be examined against the challans and vouchers which support it. Then the challans and vouchers which have been already approved and registered by the district officer will first be marked off in the register of challans issued and of order for payment, that is, the date of discharge will be noted against the entries of them in those registers. Then each item of receipt and payment will be posted from the daily account, with its challans and vouchers, into the cash book, either direct or through some subsidiary register, in the same way as is prescribed to be done by the account department of treasuries which do not bank with the bank. The net difference between the total receipts and the total payments as shown in the daily account will then be posted in a subsidiary register in accordance with the provisions of Articles 44 to 46 of Account Code, Volume II. *See* also Article 96(iii) *ibid.*

Note.— See also note below rule 3.53 and note 2 below Article 43 of Account Code, Volume II.

(VI) Advices, Certificates, Returns, etc.

3.60 Advices of receipts or payments should be prepared in the treasury and not in the bank (*see* also Subsidiary Treasury Rules).

Note.— For treasury returns *see* Subsidiary Treasury Rules.

(VII) Miscellaneous

Opening of the Bank on days on which the treasury may be closed for public business

3.61 (a) The bank will be kept open for the transaction of the treasury business on all recognised holidays, if so required by the district officer.

(b) Treasury Officers are authorised to arrange that the bank should transact business on Government account on any day on which the local treasury may be closed for public business, but the bank is open to ordinary business, provided that every formality has been observed which would allow the transaction on a day on which the local treasury as well as the bank is open to business.

Rules for the receipt, custody and delivery by Government treasuries of sealed packets containing duplicate keys of strong rooms and chests of the bank conducting treasury business

3.62 (a) If the bank at which Government treasury work is conducted wishes to deposit the duplicate keys of the strong-room or currency chest in the Government treasury, the Agent or the other officer in charge of the bank shall personally deliver a sealed packet purporting to contain such duplicate keys to the Treasury Officer in charge of the district treasury and obtain his receipt.

(b) The receipt of the Treasury Officer shall merely acknowledge the receipt of a sealed packet and before signing the receipt the Treasury Officer shall satisfy himself that the seals are intact.

(c) On receipt of the sealed packet, the Treasury Officer will place the same in double locks and enter the transaction in a register, preferably the register of valuables. Such register will contain a column for description in which the Treasury Officer will note with his own hand the number of seals and date of consignment to double locks.

(d) The sealed packet shall not be taken out of double locks except on personal application by the Agent or other officer in charge of the bank and by the branch Khazanchee (or Head Shroff or Head Cash-keeper or his duly appointed Naib). On such joint application the Treasury Officer shall deliver the packet to the Agent or other officer and Khazanchee (or Head Shroff or Head Cash-keeper or his Naib) only and then on receiving back the receipt given by him for the sealed packet under clause (b) above as well as obtaining the join receipt of the Agent or other officer and Khazanchee (or Head Shroff or Head Cash-keeper or his Naib) for the packet.

(e) The Agent or other officer in charge of the bank shall periodically, and in any case at periods of not less than six months, verify the presence of the sealed packet in the double locks of the treasury and shall satisfy himself that the seals are intact.

(f) The Treasury Officer shall verify, periodically and in any case at periods of not less than six months, the presence of the sealed packet and satisfy himself that the seals are intact. He shall also verify its presence whenever there is a change in the charge of the treasury. In the latter case the outgoing and incoming Treasury Officers shall personally hand over and take charge of the sealed packet and shall sign the register mentioned in clause (c) to this effect.

3.63 In the event of the Agent of branch of the State Bank of India or any of its subsidiaries which conduct treasury business dying or becoming suddenly incapacitated for duty and it being not possible for the State Bank or its subsidiary to make immediate arrangements for the transaction of business at the branch, the Government official named hereafter should, provided the concerned bank has by prior arrangement requested that he should do so at once: --

(a) visit the bank in person, take over the keys of the strong room and other receptacles or treasure, notes or books and ensure that the strong room is properly secured and direct the guard to report to him;

(b) telegraph information of the occurrence to the Local Head Office/ Head Office of the concerned bank; and

(c) arrange for the due transaction of urgent treasury business at the branch.

The responsibility for performing the functions herein stipulated should, in the first instance, be primarily that of:—

(i) The Collectors or district officers at the district headquarters;

(ii) The Sub-Divisional Officers/Tahsildars at sub-divisional and/or tahsil headquarters, as the case may be.

The concerned Government official should on no account take any action in regard to the bank's private business, which together with such treasury business which is not of an urgent nature may remain in abeyance till a responsible official of the concerned bank takes charge of the branch.

When it is impossible for the concerned Government official to take the action mentioned above in person, *e.g.*, on account of absence in camp, he may delegate his functions in this connection to any other Government official not below the rank of a confirmed Sub-Treasury Officer, who is within easy reach of the branch; he should nominate such Government official for this purpose specially on such occasion when the necessity arises.

Neither the Government nor any Government servant will incur any responsibility either to the State Bank of India or to its subsidiaries or to any third party by reason of anything done *bonafide* under these instructions. The Government official concerned would, however, be responsible for the safe keeping, as a bailee, of the keys of the strong room, etc., taken over by him and the accounting for the cash and other contents which he takes out from the strong room.

H.P. GOVT. ORDER

(1) Reconciliation of Government Cash Balances as appearing in the Government Accounts vis-a-vis the Bank Books.— I am directed to invite attention to Section VI of Chapter III of H.P. Financial Rules, Vol. I which contains Special Rules for the Treasuries of which the Business is conducted by the Reserve Bank of India and other Banks which act as their Agents in accordance with the provision of Reserve Bank of India Act. In terms of that provision the daily accounts in respect of receipts and payments on Government account together with the challans and vouchers are rendered by the office of Reserve Bank of India and its Agents to the Treasuries. The Treasuries are required to check receipts and disbursements columns of such daily accounts, agree their total with the figures entered in the register and examine their vouchers. This whole procedure is directly connected with the reconciliation of Government Balances as compiled and maintained on the Books of Accountant General with the Balances according to the Books of the Central Accounts Section of Reserve Bank of India, through the Audit and Accounts Office. In the case of discrepancies on the basis of monthly statements which are received from the Reserve

Bank of India Central Accounts Office the Audit and Accounts Office tries to reconcile the figures reported to that office by the Reserve Bank of India with the figures in the cash accounts and supporting schedule as submitted to that office by the Treasuries and over-all balances of the State Government with the Reserve Bank of India as maintained on the deposits with the Reserve Bank of India as reported by the banking treasuries plus the adjustments against those deposits as carried out by the Reserve Bank of India and intimated to the Audit and Accounts Office. This system has been found to be cumbersome and unworkable in practice. Accordingly it has been decided in consultation with the Reserve Bank of India and the Accountant General, H.P. that the following procedure shall be followed by the Treasuries and Sub-Treasuries in H.P. and the Agency Banks:—

i) The State Bank of India will get the monthly statements of receipts and disbursements prepared by each of its branches scrutinised and certified by the Treasury or Sub-Treasury Officer concerned, before the statement is despatched to their data processing centre at Bombay (Worli). A similar procedure will be followed by the branches of the subsidiary banks in the public sector, at places where such branches transact any business on behalf of treasuries and sub-treasuries before the monthly statements are despatched by them to their respective head or link or designated offices.

ii) The monthly statements intended for scrutiny by Treasury Officers will be sent to them in triplicate by the branches of the agency banks and those intended for scrutiny by the Sub-Treasury Officers will be sent to them in quadruplicate by the branches concerned. These statements should be submitted in all cases not later than the 1st working day of the month succeeding that to which they relate.

iii) As the monthly statements will be built up from the details of the daily transactions, whether in cash or through the realisation or payment of cheques as written up in the pass books which are submitted by the agency banks to the treasuries or sub-treasuries, which in turn will be based on the daily scrolls and as some time will have to be allowed to the Treasury and Sub-Treasury Officers to scrutinise the entries in the scrolls and to tally them with the pass books every day, two pass books in place of one will be introduced, these pass books being used on alternate day, so that one whole day might be available to the Treasury or Sub-Treasury Officer for checking the transactions as entered in each pass book. Each treasury and sub-treasury will acknowledge immediately the receipt on each day of the pass book tendered to it on that day alongwith the scroll for the preceding day and the number of challans and vouchers supporting the entries in the scroll, and will have the whole of that day thereafter for completing the scrutiny of that pass book alongwith the scroll and the challans and vouchers. The pass book as scrutinised at the treasury or sub-treasury should be returned positively on the succeeding day to the agency branch, either with the signature of the treasury or sub-treasury officer or with a memorandum indicating the corrections which are required to be made. In the event of the pass book being returned to the branch of the agency bank with a memorandum indicating any corrections, the figures should be reconciled with the least possible delay and the pass book should be signed as soon as possible thereafter by the Treasury or Sub-Treasury Officer. The monthly statements as prepared by the branch of the agency banks should be based strictly on the pass book as posted and signed by the Treasury or Sub-Treasury Officer as the case may be.

iv) In the case of a treasury, after the Treasury Officer has scrutinised the monthly statement prepared by the branch of the agency bank, he should return one of the three copies of it to the branch of the agency bank with a certificate to the effect that it has been checked and found correct and should forward to the Accountant General (*vide* sub-paragraph (vi) below) another copy of the statement with his certificate. The last copy will be retained at the treasury for its record.

v) In the case of sub-treasury one of the four copies of the monthly statement will be retained by the sub-treasury for its record and the three other copies as certified by the sub-treasury will be forwarded by the sub-treasury to the Treasury Officer before the 3rd of the succeeding month. One of these three copies will be forwarded by the Treasury Officer to the concerned Accountant General *vide* sub-paragraph (vi) below, one will be returned by the Treasury Officer direct to the branch of the agency bank serving the sub-treasury and one will be retained by the treasury for its record.

vi) The treasury will submit the consolidated monthly statements referred to above in sub-paragraph (iv) and (v) to the Accountant General by the 10th of the month, succeeding the month to which it relates. The monthly statement for March for which a little extension of time is necessary, should be sent not later than the 8th of the succeeding month by the sub-treasury and the 15th of the succeeding month by the Treasury.

vii) On receiving the certified monthly statement, the branch of the agency bank should forward it immediately in the case of the State Bank of India to the data processing centre at Bombay (Worly) and in the case of any other bank to the head or link or designated office, as the case may be, where it will be checked against office as the case may be at the centre or office from the concerned branch of that month.

viii) After this check, the data processing centre or office as the case may be will despatch the consolidated monthly statement so as to reach Central Accounts Section of the Reserve Bank of India at Nagpur not later than the 20th of the succeeding month in the case of all months other than March (the statement for the month of March should reach the Central Accounts Section of Reserve Bank of India by the end of April). The Reserve Bank of India, Central Accounts Section, Nagpur will forward the monthly statements to the Accountant General etc., by the 28th of the succeeding month in the case of all months other than March and by the 15th May in case of March.

ix) It sometimes happens because of strike or other difficulties at the branch of an agency bank that the books of the branch remain unbalanced for many days. As the daily statements of receipts and disbursements on Government account as prepared by the branch and entered in the pass book may in such circumstances be provisional, an initial error or omission in the daily statement as furnished to the treasuries and to Reserve Bank of India might have to be rectified subsequently by the agency bank. In these cases as well as in other cases involving clerical errors, in order to facilitate the scrutiny of the relevant transactions and the reconciliation of balances, the branches should introduce a separate scroll (error scroll) and a separate pass book (error pass book) for the adjustment of entries which have already been made earlier in the relevant pass book for the Centre or State as the case may be. After the entries in the error pass book have been checked by the concerned treasury or sub-treasury officer, they can be incorporated in the relevant monthly statement.

x) If the monthly statement of a branch reveals any discrepancy when checked with the daily statements from the same branch with reference to which a monetary settlement has already taken place, the discrepancy should be advised by the data processing centre or the head or link or designated office as the case may be, to the concerned branch which will then make the necessary entries in the error scroll and error pass book (*vide* sub-paragraph (ix) above). In case the monthly statement for the relevant month has already been prepared and sent by the branch to the data processing centre or head or link or designated office, the adjustment will also be reported by the branch to the data processing centre or office as the case may be, in a 'supplementary monthly' statement clearly marked "Errors and Omissions - Adjustments on accounts transactions already cleared" and that centre or office in turn will forward the statement after scrutiny to the Central Accounts Section of the Reserve Bank of India at Nagpur in addition to the usual daily statement. Each supplementary statement will be certified by the Treasury or Sub-Treasury Officer as the case may be. A copy of the supplementary statement clearly marked "Errors and Omissions - Adjustment on account of transactions already cleared" will also be sent at the same time by Sub-Treasury and Treasury Officer to the Treasury Officer and Accountant General as in the case of any other statement.

xi) As the agency bank is not concerned with the misclassification or the wrong description of any item, so long as the transaction which has been put through and reported by it is *bonafide* except to the extent that consolidated statements in respect of the Centre/State (including transactions on account of other States) are to be furnished by it, error scroll or error pass book should be used by the bank only for correcting any misclassification or wrong description which may affect the consolidated accounts under the heads mentioned above as already furnished, and not for carrying out inter-Governmental adjustments. Such inter-Governmental adjustments will be made only by the Accountants General on being reported to them by the Treasury Officers.

xii) A shadow account is to be maintained by the Reserve Bank of India, C.A.O., Nagpur. In case an error or omission is brought to light, after the monthly shadow accounts of adjustments with the agency banks as maintained by Reserve Bank of India, Central Accounts Section, Nagpur have been reconciled and closed, the settlement in account of the discrepancy or the fresh error or omission will be subject to the procedure for the certification of the amount by the Treasury and

Sub Treasury Officer through the error scroll and error pass book as provided above, but the items in question will be entered in a separate consolidated shadow account to be maintained by the Reserve Bank of India, Central Accounts Section, Nagpur for purposes of reconciliation with the accounts of the Accountant General.

2. As regards consolidation and incorporation of accounts of sub-treasuries in the accounts of the treasuries after the end of a calendar month, decision of the State Government has already been communicated *vide* letter of even number dated the 11th December, 1974.

[H.P. Govt., F.D., letter No. 11-35/74-Fin (Reg)., dated the 21st July, 1975]

VII— ARRANGEMENTS FOR THE CONDUCT OF GOVT. BUSINESS AT THE TREASURY PAY OFFICES OF THE STATE BANK OF INDIA AND THE PROCEDURE TO BE FOLLOWED BY THE TREASURY OFFICERS CONCERNED THEREWITH

3.64 Arrangements for the conduct of Government business at the Treasury Pay Offices of the State Bank of India and procedure to be followed by the Treasury Officers concerned therewith are given in the Annexure to this Chapter.

ANNEXURE

(Referred to in rule 3.64)

Arrangement for the conduct of Government business at the Treasury Pay Offices of the State Bank of India and the procedure to be followed by the Treasury Officers concerned therewith

The State Bank of India will transact the banking business of the Government at its Treasury Pay Offices as the Agent of the Reserve Bank of India in the same manner as at its branches and sub-branches subject to the following restrictions:—

I.— Payment of Vouchers, Cheques, Telegraphic Transfers, Reserve Bank Government Drafts and the Reserve Bank Drafts from the Treasury Pay Offices

1. All Government vouchers, cheques, drafts, etc., for payment (including Telegraphic Transfers, Reserve Bank Government drafts and Reserve Bank drafts) will first be passed by the Treasury Officer and endorsed with a definite order to pay as follows:—

To

The Agent, State Bank of India
.... Treasury Pay Office

Pay Rs. .... (Rupees....................in words).

Sd/-
Treasury Officer

Dated ....

They will then be returned to the presenting parties for encashment at the Treasury Pay Office.

II.— Payment into Treasury Pay Offices on Government Account

2. All challans, Reserve Bank Government drafts and Reserve Bank draft requisitions, etc., in respect of credits to Government account will first be scrutinised by the Treasury Officer who will satisfy himself that they have been correctly and completely classified and endorses them as follows:—

To

The Agent, State Bank of India

.... Treasury Pay Office
Correct : accept and grant receipt.

Dated ....

Sd/-
Treasury Officer.

The challans will then be returned to the presenting parties for deposit of the relative amounts at the Treasury Pay Office.

Note 1.— Challans for sums not exceeding Rs. 500 will be signed by the Accountant only.

Note 2.— For the endorsement mentioned in paragraphs 1 and 2 above rubber stamps may be used by the Treasury Officers.

III.— Daily Accounts

3. Government account debit and credit scrolls will be maintained by the Treasury Pay Office in triplicate. At the close of business each day two open carbon copies of the Treasury Pay Office Government scrolls, embodying particulars of the day's transaction on Government account at the Treasury Pay Office, will be forwarded to the Treasury Officer, together with the relative vouchers, in a locked box, one key of which will be retained by the Clerk-in-charge and the other by the Treasury Officer. The Treasury Officer will compare the vouchers with the lists and return one copy of each of the lists to the Treasury Pay Office, duly signed by him in token of their correctness retaining the others for his record. The transactions occurring at the Treasury Pay Office shall invariably be incorporated in the treasury accounts under the date on which they take place at the Treasury Pay Office.

4. The total daily receipts and disbursements at the Treasury Pay Office will be advised to Calcutta by the parent branch of the bank concerned as items distinct from those of the parent branch. The same procedure will be followed in regard to the daily statement of transactions under "Reserve Bank Deposits State" now being received by the Government from the Agents of the State Bank of India.

IV – Currency Facilities

(a) General

5. The bank will receive free currency facilities at the Treasury Pay Offices, and will, therefore, pass on the benefits thereof to the public as at its branches and sub-branches subject to the following restrictions :–

(i) No telegraphic transfers will be issued by or on the Treasury Pay Office. These will be issued by or on the Treasury or Sub-Treasury Officer and the relative coding and decoding of the telegraphic advices will be done by the Treasury or Sub-Treasury Officer himself. The Treasury Pay Office will, however, perform the necessary cash and clerical work under the orders of the Treasury or Sub-Treasury Officer.

(ii) State Bank drafts issued by the Treasury Pay Office will continue to be subject to a limit of Rs. 5,000 each.

(iii) Regulation 9 of the Scheduled Bank's Regulations will not operate at the Treasury Pay Office.

(b) Issue of Reserve Bank Drafts and Reserve Bank Government Drafts

6. In the case of Reserve Bank Government drafts and Reserve Bank drafts the same procedure will be followed as is followed in treasuries. Reserve Bank Government drafts and Reserve Bank drafts will be issued by the Treasury or Sub-Treasury Officer and not by the Treasury Pay Office, the cash and clerical work being attended to by the Treasury Pay Office. In case of drafts the relative advices will be prepared at the Treasury Pay Office and signed by the Clerk-in-charge on presentation of the relative requisitions duly passed by the Treasury Officer and will be forwarded by the Clerk-in-charge to the Treasury Officer for signature by him over the signature of the Clerk-in-charge and return. The drafts will then be delivered to the parties concerned and the relative advices despatched by the Treasury Pay Office.

V – Currency Chest

(a) General

7. The currency chest will be under the safe custody of the Treasury Officers, who will be entirely responsible for their contents and all transactions connected therewith. The State Bank of India will consequently share no responsibility for the examination and correctness of coin and notes at the time of deposit in or withdrawal from the currency chests, and the bank's employees will have no access to the chest in question. The double lock account will be maintained according to the instructions contained in the Himachal Pradesh Subsidiary Treasury Rules – Financial, Handbook No. 1.

8. The balance in the chest at the end of each month will be verified by the District Collector, or if he is not at headquarters by the senior gazetted subordinate of the District staff present at the headquarters not being the officer-in-charge of the treasury, in accordance with the Himachal Pradesh Subsidiary Treasury Rules – Financial Handbook No. 1.

9. The State Bank is responsible for the money which is drawn from the currency chest from the moment it is made over to it and the Government have no responsibility for its custody whatever the amount may be once it has been withdrawn from the chest.

The bank is responsible to make adequate arrangements for the transport between the treasury buildings and the pay office premises of treasure to be withdrawn from or deposited into the currency chest. The Government will not be responsible for any loss, theft, etc., that may occur when such treasure is in transit, whatever may be the amount of the treasure.

(b) Withdrawals from the Currency Chest

10. The Treasury Pay Offices may withdraw from and deposit into the currency chest such sums as may be necessary, there will be no limit to the amount of withdrawal from the currency chest.

Withdrawal from the currency chest on account of Treasury Pay Office will be made by the Treasury Officer against written requisitions stating the amounts and denominations of notes and coin required, which must be signed by both the Clerk-in-charge and (Naib) Cashier of the Treasury Pay Office and include the name of the bank's Cashier to whom payment is to be made. The Cashier named in the requisitions must be identified by the Treasury Office and for this purpose the Treasury Officer will be furnished with specimen signatures, duly verified by the

Clerk-in-charge and the (Naib) Cashier of the Treasury Pay Office, of the bank's Cashiers who are authorised to receive cash remittances from the currency chest on behalf of the Treasury Pay Office. Changes in the cash department staff authorised to receive these cash remittances will invariably be advised to the Treasury Officer and duly verified specimen signatures of any fresh cash department employees appointed will similarly be furnished to him. The total amount of such requisitions must be written in words as well as in figures.

11. The cash detailed in the requisitions will be made over to the bank's Cashier named therein against his receipt on the requisition and after being checked by him, will be locked in the bank's remittance box(es). There will be two padlocks on such box(es), the duplicate keys of which will be retained by the Treasury Officer and the District Treasurer (or his agent) and the originals by the Clerk-in-charge and the (Naib) Cashier of the Treasury Pay Office respectively. On no account will the keys of the remittance box(es) be carried by the Cashier or Guards accompanying the remittances.

> Note.—The orders contained in rule 3.62 regarding custody of duplicate keys in Government treasuries also apply in the case of Treasury Pay Offices. Treasury Officers and District Treasurers (or their agents) concerned should see that the duplicate keys of the remittance boxes referred to in this rule should on no account leave their possession.

(c) *Deposits into the Currency Chests*

12. Remittances of cash for deposit in the currency chest will be sent by the Treasury Pay Office to the treasury in remittance box(es), under double lock, accompanied by a bank Cashier, who will bring with him a memorandum in duplicate, signed by the Clerk-in-charge and the (Naib) Cashier of the Treasury Pay Office, showing details of the remittance. When the remittance has been shroffed and verified as laid down in the Subsidiary Treasury Rules – Financial Handbook No. 1 – by the treasury Cashiers, the Treasury Officer will endorse the original of the memorandum "Received from the State Bank of India, ... Treasury Pay Office, the within-mentioned remittance totalling Rs. .... (Rupees in words.................), dated .... Sd............." and hand it over to the bank's Cashier accompanying the remittance, retaining the duplicate for his record.

(d) *Advice of withdrawal from and deposits into the Currency Chest*

13. The usual advices will be sent to the Currency Offlicer, and the Agent, State Bank of India, of the parent branch concerned and under the joint signature of the Treasury Officer, District Treasurer (or his agent) and the Clerk-in-charge of the Treasury Pay Office concerned.

The Currency Chest Slips in respect of deposits into and/or withdrawals from the currency chest on account of the Treasury Pay Office will be sent the same day to the Currency Officer, by the Treasury Officer.

VI – Resources Operations

14. All resource operations, i.e., receipts of remittance from sub-treasuries and

despatch of remittances to sub-treasuries, the currency office, etc., will be performed by the Treasury Officer.

15. The following procedure will be followed in respect of advices of currency transfers:—

(a) The Treasury Officer and the District Treasurer (or his agent) and the Clerk-in-charge of the local Treasury Pay Office will jointly sign all advices relating to currency transfers and besides advising the Currency Officer, Delhi, direct of such transfer, Treasury Officer will also advise the Agent of the parent branch of the bank and the Delhi branch of the bank by the next available post.

(b) The Agent of the parent branch will advise the currency transfers at the Treasury Pay Offices to the Delhi branch, of the bank by telegram or letters, as the case may be, but the pay office currency transfers will be advised as items distinct and separate from currency transfers taken by the parent branch concerned.

(c) All opposite transactions in respect of amounts withdrawn from or deposited into the currency chest by the Treasury Pay Offices will be arranged by the parent branches concerned.

VI – Miscellaneous

(a) Change of Charge

16. Whenever the Treasury Officer is transferred elsewhere, he will forward to the Clerk-in-charge of the Treasury Pay Office, a specimen of the signature of the relieving Treasury Officer duly verified by him. Similarly, whenever there is a change in the Clerk-in-charge or the (Naib) Cashier at the Treasury Pay Office, the parent branch will forward to the Treasury Officer a specimen signature of the relieving Clerk-in-charge or (Naib) Cashier, as the case may be, duly verified by the Agent of the parent branch concerned.

(b) Working hours

17. The Treasury Pay Offices shall conduct Government business, or withdraw funds from or deposit funds into the local currency chest, during the normal working hours. Everything will be done by the bank officials concerned to ensure that funds to be deposited into the currency chest are presented at the treasury as soon after 3 P.M. daily as possible.

On all such days when the treasury is closed for the observance of a local holiday, no Government business will be transacted at a Treasury Pay Office, the latter will be course only observe gazetted holidays under the Negotiable Instruments Act and will remain ordinarily open to transact business on bank account on local holidays.

General

18. The Clerk-in-charge of the Treasury Pay Office will work in close co-operation with the Treasury Officer to ensure that no undue dislocation or delay occurs by reason of the necessity of reshroffing cash remittance made between Treasury Pay Office and the treasury.

CHAPTER IV

Revenue Receipts and their Check

I— GENERAL

4.1. It is the duty of the Revenue or the Administrative Department concerned to see that dues of Government are correctly and promptly assessed, collected and paid into the treasury.

The departmental controlling officers should see that all sums due to Government are regularly and promptly assessed, realised and duly credited into the treasury. They should accordingly arrange to obtain from their subordinates monthly accounts and returns in suitable form claiming credit for so much paid into the treasury and otherwise accounted for and compare them with the statements of treasury credits furnished by the Accountant General to see that the amount reported as collected has been duly credited to the Consolidated Fund.

If wrong credits thus come to the notice of the controlling officer, he should at once inform the Accountant General with a view to the correction of the accounts. If any credits are claimed but not found in the accounts, enquiries should be made first of the responsible departmental officer concerned.

Note 1.—For this purpose, the Accountant General will send to the departmental controlling officer an extract from his accounts showing the amounts brought to credit in them each month

The procedure outlined in note below rule 2.2 (v) will apply *mutatis mutandis* to the statement of treasury credits furnished by the Accountant General.

Note 2.—It is essential that the departmental accounts of revenue should not be compiled from the returns prepared by the treasury. But the Treasury Officer may be required, where necessary, to verify the returns prepared for submission to the departmental controlling authority.

Note 3.—The reconciliation of differences should be carried out as promptly as possible especially in the case of returns for March so that all corrections may be included in accounts of the year concerned.

Note 4.—In order to minimise the differences between the treasury figures and the departmental figures, it is essential that the challans with which money is remitted to the treasury should bear full and correct accounts classification

Note 5.—The directions relating to the exhibition of recoveries of expenditure in Government accounts are contained in Chapter 5 of Account Code, Volume I.

Note 6.—For this purpose, the Accountant General will send to the departmental controlling officer an extract from his accounts showing the amounts brought to credit in them each month. The procedure out-lined in note below rule 2.2(v) will apply *mutatis mutandis* to the statements of treasury credits furnished by the Accountant General

II -- SPECIAL RULES FOR PARTICULAR CLASSES OF RECEIPTS

(I) Land Revenue -- Fees for Collection of Revenue

4.2. Writs, warrants and other processes for the collection revenue under Himachal Pradesh Land Revenue Act of 1953, shall ordinarily be served through the agency of the tahsil chaprasis and the fees recovered will be credited to Government.

Note.— Deputy commissioners should see that the Tahsil Dakhilas are entered item by item in the prescribed registers and that every item received or paid is at once entered in the cash book or in some authorised register subsidiary thereto.

(II) Fines

4.3. (a) It is the duty of every Court or authority having the power to fine to maintain a register giving particulars of every fine imposed by it and see that the money realised reaches the treasury, and adequate precautions are taken against double refunds of fines or refunds of fines not actually paid into the treasury.

(b) Each court, civil or criminal, is required to submit to the District Judge or to the District Magistrate as the case may be, on the last working day of each calendar month, a statement in the prescribed form showing the demand, collection and balance of fines levied and written off by it as well as refunds therefrom, the statement being made up for the account months of the treasury or sub-treasury with which the court deals. The District Judge and the District Magistrate should consolidate these returns into a monthly statement for the courts under him and for his own and forward it to the Treasury Officer as soon as possible after the beginning of the month for verification of the amounts shown as remitted into the treasury with the credit appearing in the treasury account. The Treasury Officer should certify to the correctness or otherwise of these amounts. Where there is any discrepancy between a consolidated statement and the treasury account the Treasury Officer may, if necessary, before giving his certificate, request the 0District Judge or the District Magistrate, as the case may be, to explain the discrepancy. These statements should then be forwarded to the Accountant General, Himachal Pradesh not later than the 7th of each month in order to facilitate check in case refunds are claimed.

Note.— The statement should exhibit the amounts under each head of accounts, *e.g.*, magisterial fines, under the Prevention of Cruelty to Animals Act, etc., separately

(c) Compensation fines due to an injured party which are creditable to deposits, and fines, which under the order of the competent authority, are creditable to a municipal or local fund, should be excluded from this return.

(d) A consolidated statement in the same form should be furnished to the Accountant General monthly by the Deputy Commissioner giving particulars of fines and penalties, if any, realised by revenue officers and remitted by them to the treasury to be credited under the appropriate heads.

(e) A fine realised in one district on account of another should not be remitted to the district concerned, but should be treated, for the purposes of the fine statement, as if it had been imposed in the court in which it is realised an advice of the recovery sent by the realising court to the court which inflicted the fine, note of the court to which it relates being also made in the fine statement against the credit. The court which inflicted the fine should, on receiving the intimation, note in its statement the amount of the fine realised and the name of the treasury into which it was paid.

(III) Miscellaneous Demands

4.4. Realisation of miscellaneous demands of Government not falling under the ordinary revenue administration will be watched by the Accountant General. Such are payments on account of contributions from local funds contractors and others towards establishment charges, etc.

Note 1.—All receipts from ferries and cattle ponds which are managed by local bodies should first be credited to the respective local funds under the head "Suspense" and at the end of each month when the monthly account is closed they should be credited to the State Revenues.

Classification of the proceeds of illicit cultivation

Note 2.— (a) In cases in which the trespasser pays rent after mutual compromise with the Collector, the rent paid should be credited to the head [1]"0029 — Land Revenue – Other Receipts — Rent of Lands leased for a single year or harvest."

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1. Head of Account in Note 2(a) below Rule 4.4 changed due to change in classification.

(b) In case where the offender is punished by a Magistrate with a fine or with the confiscation of the crops growing on the land or if the crops have been cut with the assessed value thereof, the amount recovered should be credited to the head[1] "0029 – Land Revenue-Other Receipts – Fines and Forfeitures of Revenue Department."

III – REMISSIONS OF, AND ABANDONMENT OF CLAIMS TO, REVENUE

4.5. The sanction of the competent authority is necessary for the remission of, and abandonment of claims to, revenue.

The procedure for reporting such remissions, etc., is laid down in rule 2.35 and Annexure thereunder.

IV— AUDIT OF RECEIPTS

4.6. When the audit of the receipts of any department of Government is entrusted to the Comptroller and Audit General under the provisions of paragraph 1.3 (2) of the Government of India (Audit and Accounts) Order, 1936, it will be conducted in accordance with the regulations given below. A list of accounts of receipts, the audit of which has been entrusted by the Himachal Pradesh Government to the Comptroller and Auditor General, is given in the Annexure to this Chapter.

A list of accounts of receipts, the audit of which has been entrusted by the Himachal Pradesh Government to the Comptroller and Auditor General, is given in the Annexure to this Chapter.

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Regulations for the Conduct of the Audit of Receipts

1. It is primarily the responsibility of the departmental authorities to see that all revenues, or other debts due to Government, which have to be brought to account are correctly and promptly, assessed, realised and credited into Consolidated Fund and any investigation by audit must be so conducted as not to interfere with this executive responsibility. Audit shall, however, have power to examine the correctness of the sums brought to account in respect of receipts of any department in such manner and to such an extent as may be determined by Government in consultation with the Accountant General.

2. In conducting the audit of receipts of any Government department the chief aim should be to ascertain that adequate regulations and procedure have been framed to secure an effective check on the assessment, collection and proper allocation of revenue; and to see by an adequate detailed check that all such regulations and procedures are being observed. In the audit or receipts, ordinarily, the general is more important than the particular.

In the audit of receipts it would be necessary in the case of a department, which is a receiver of public money; to ascertain what checks are imposed against the commission of irregularities at the various stages of collection and accounting and to suggest any appropriate improvement in the procedure. Audit might, for instance, suggest in a particular case that a test inspection should be carried out by comparing a sample set of receipt counterfoils with the receipts actually in the hands of the tax-payers or other debtors, the results of such an inspection being made available to audit.

In no case, however, should independent enquiries be made among the tax-payers or the general public. Audit should confine itself to calling upon the executive to furnish necessary information and, in case of difficulty, it should confer with the administrative authorities concerned as to the best means of obtaining the evidence which it requires.

4. The audit of receipts should be regulated mainly with reference to the statutory provisions or financial rules or orders which may be applicable to the particular receipts involved. If the test check reveals any defect in such rules or orders the advisability of amendment should be brought to notice.

It is, however, rarely, if ever, the duty of audit to question an authoritative interpretation of such rules or orders, and in no case may audit review a judicial decision, or a decision given by an administrative authority in a quasi-judicial capacity. This instruction does not, however, debar the Accountant General from bringing to notice any conclusion deducible from the examination of the results of a number of such decisions.

5. Where any financial rule or order applicable to the case prescribes the scale or periodicity of recoveries, it will be the duty of audit to see, as far as possible, that there is no deviation without proper authority from such scale or periodicity. When this check cannot be exercised centrally a test audit may be conducted at local inspections, the aim being to secure that discharge of rule or defect of procedure are not such as to lead to leakage of revenue rather than to see that a particular debt due to Government was not realised at all or on due date.

6. Ordinarily Audit will see that no amounts due to Government are left outstanding on its books without sufficient reason. Audit will continue carefully to watch such outstandings and suggest to departmental authorities any feasible means for their recovery. Whenever any dues appear to be irrevocable, orders for their adjustment should be sought. But unless permitted by any rule or order of a competent authority no sums may be credited to Government by debit to a suspense head; credit, must follow, and not precede, actual realisation.

7. The procedure prescribed by the Comptroller and Audit General for raising and pursuing audit objections in relation to expenditure, including powers of Audit Officers to waive recovery of Government dues under certain conditions, shall apply *mutatis mutandis* in respect of audit objections on any account of receipts.

H.P.GOVT. ORDERS

(1) सरकारी वसूलियों बारे प्रक्रिया.-- मुझे उपर्युक्त विषय पर यह कहने की निदेश हुआ है कि माननीय लोक लेखा समिति ने सरकारी वसूलियों की समीक्षा करने के पश्चात यह सिफारिश की है कि ऐसे मामले, जिन में सरकारी वसूली की जानी है, उन मामलों के प्रति सम्बन्धित विभाग का यह दायित्व होगा कि वे कुलैक्टर को अवगत करवायें कि अमुक व्यक्ति से कितनी राशि वसूल की जानी है और उनके नाम जो चल व अचल सम्पति है, वह वसूली होने तक दूसरे के नाम न की जायें ! अतः अपासे अनुरोध है कि सरकारी बकाया की वसूली के लिये उपयुक्त कार्यवांही शीघ्र करें।

[हि0 प्र0 सरकार, वित्त विभाग, पत्र संख्या वित-2 डी (5) I 94. दिनांक 24 मई, 1994]

(2) No indication to be given to assessees/mortgagors/lessors/sellers etc. that re-assessment or additional demand etc. has been necessitated by audit objection.— (a) In continuation of this Department letters No. Fin (D) (C) 15 (b) 3/82, dated 22-6-1982 and No. Fin(D)(C)15(b)3/82-Vol. III, dated 2-5-1987, I am directed to say that the instructions contained therein for prompt settlement of audit objections/inspection reports and audit paras etc. are not being followed strictly by all departments concerned. As you are aware a period of 6 weeks is allowed to the concerned authority for acceptance of facts in the relevant paras of the Audit & Inspection Report. During this time the department has sufficient opportunity to examine each case in detail and to explain and justify its view point if it does not agree to the audit observation. Non-receipt of any reply during the aforesaid period obviously implies acceptance of the objection.

When rectificatory action, as warranted under the relevant Act/Rules, is initiated by the departmental authority concerned, it apparently confirms that the department has examined and accepted the audit objection. Therefore, while making re-assessment and raising additional demand in respect of short levy, the department should take action of its own, without giving any indication that rectificatory action has been necessitated by audit objection. Any reference to audit objection will not only be a reflection on the functioning of the concerned authority but may also involve Audit in unnecessary controversy with the public.

I am, therefore, to request that all the Revenue Assessing/Collecting Authorities and Heads of Offices under your control may be requested once again to reply to audit objections promptly and not to give any reference to audit in the rectificatory action taken on the basis of accepted audit objections.

The receipt of this communication may kindly be acknowledged.

[H.P. Govt., F.D., letter No. Fin (D)(C)15 (b) 3/82-III, dated the 19th June, 1987]

(b) The audit of the receipts (Tax & Non-Tax) of Himachal Pradesh State is a statutory audit conducted by my office under Section 16 of the CAG's (Duties, Powers and Conditions of Service) Act, 1971 to ensure that the rules and procedures designed to secure an effective check on the assessment, collection and proper allocation of revenue, are observed by the various offices of the Govt. The audit observations, if any, are initially brought to the notice of the respective Heads of Offices during local audit itself and then to higher authorities through the Audit and Inspection Reports for acceptance of facts and rectification of omissions. A period of six weeks is allowed to the concerned authority for acceptance of facts in the relevant para(s) of the Audit and Inspection Report. During this time, the concerned office has sufficient opportunity to examine each case in detail and to explain and justify its view point, if it does not agree to the audit observation. Non-receipt of any reply during the aforesaid period obviously implies acceptance of the objection.

Whenever any inspection report suggesting recoveries from the assessees, mortgagors, lessors and sellers etc. is issued by this office, the rectifying action is initiated by the concerned authority after a detailed examination with reference to relevant Act/Rule/Regulation/Order relating to the matter. If the audit observation is found to be valid the onus of furnishing satisfactory reasons or explanations justifying recovery as pointed out by audit rests with the heads of offices. It has, however, come to my notice that the Departmental officers while taking rectificatory action/raising demand, have been referring to audit in the communications issued to the assessees/mortgagors/lessors/sellers etc. Any reference to audit objections in such correspondence would not only be a reflection on the functioning of the Govt. but may also involve Audit in unnecessary controversy with the public and make Audit a party in court cases.

[A.G., H.P., D.O. letter No. OA/RAI/Quarterly Meeting/94-95/1753, dated the 7th December, 1994 to Secretary (Finance) to H.P. Govt., circulated vide H.P. Govt., F.D., letter No. Fin(D)(C)5(C)1/94, dated the 31st January, 1995]

ANNEXURE

(Referred to in rule 4.6)

List of accounts of receipts the audit of which has been entrusted to the Comptroller and Audit General under paragraph 13(2) of the Government of India (Audit and Accounts) Order, 1936

1. Government Presses.

2. Recoveries on account of cost of establishment (including contributions for leave and pensions) entertained on behalf of, or lent for service under outside authority.

3. Interest on Loans (except Revenue Advances).

4. All contributions payable under orders of Government, by local funds or other bodies on account of Government, medical, sanitary or other institutions.

5. Receipts in aid of superannuation.

6. Fees for Government audit.

7. Revenue realised by officers of the Public Works Department.

8. Rent of buildings belonging to the Public Works Department and of electrical, water-supply and sanitary installations realised by direct payment into or by deduction from bills presented at treasuries.

9. Recoveries on account of rent of furniture.

10. Copying agency accounts (every district).

11. The Central Museum Accounts.

12. Except fees accounts of special Kanungos.

CHAPTER V

Pay, Allowances and Pensions -- General Rules

I – DUE DATE

5.1. (1) Pay bills for monthly pay and fixed allowances of Government servants may be signed at any time on the last working day of the month by the labour of which such pay and allowances are earned, and shall be payable at Government headquarters or at other district due for payment the next working day. But pay bills payable at Government headquarters or other district treasuries, may be signed and presented for payment three and two days respectively before the last working day of the month to which they relate. Payment of such bills, however, should not be made before the first working day of the next month. In the following cases, separate bills must be presented for pay and allowances or pension due for part of a month, and these bills may be paid before the end of the month :--

(a) When a Government servant proceeds out of India on deputation or on leave or on vacation.

Note .— If a Government servant wishes to draw his vacation pay or his leave salary in India, he will not be paid up to the date of proceeding on vacation or of his relief but will be allowed to draw his pay and allowances for the broken period of the month at the commencement of the next month alongwith the vacation pay or leave salary for the rest of the month.

(b) (1) When a Government servant is transferred to another Audit Circle, or within the same Audit Circle from one department to another; or

(i) from one department to another; or

(ii) from one Public Works Division to another.

Note .— If as permitted above, emoluments up to the date of transfer are not drawn before a Government servant proceeds on transfer as also in other cases of transfer, emoluments for the whole of month will be drawn in the new office.

(2) The allocation of charge to the old and the new posts, when the transfer involves change in classification of the charge, should be clearly specified on bills in which the pay of Government servants transferred is drawn for the first time in the new office. This is, however, not necessary in the case of pay and travelling allowance due to Government servant of the Forest Department on his transfer to another circle or division, which should be wholly debited against the appropriation of the new division.

(c) When a Government servant finally quits the service of Government or is transferred to foreign service.

(d) When a Government servant is transferred from a non-gazetted to a gazetted appointment within the State during the course of a month, payment of his pay as non-gazetted officer may be made by the head of the office up to the date of actual relief.

(e) When there is a variation in the rate of a pension consequent on the disbursement of the commuted value of a portion thereof.

1. If the first two days (including Sunday) of a month other than the month of April are public holidays, on which pay and allowances and pensions are not disbursed at the treasury, the competent authority may, if it thinks fit, direct the payment on the last working day before the holidays :—

(a) of monthly pay bills other than those of gazetted Government servants, and

(b) of pension bills of pensioners drawing pensions of Rs. 200 or less.

2. *See* Subsidiary Treasury Rules regarding last payment of pay to gazetted Government servants and to non-gazetted Government servants respectively who quit the service of Government finally or are placed under suspension.

(2) In cases where delay or inconvenience results from the observance of the ordinary procedure prescribed in clause (1) above, pay bills, payable at a district treasury may, with the sanction of the competent authority, be signed and presented for payment any reasonable number of days before the last working day of the month to which they relate without regard to the limits prescribed in that clause. Payment of such bills will not, of course, be made before the first working day of the next month.

The following Government servants have been authorised to sign and present the pay bills of their establishments at the District Treasury a week before the last working day of the month for which pay is claimed. The District Treasury Officer after passing the bill will enface it as payable to the drawing officer concerned at the sub-treasury nearest to him and return the same by post. The drawing officer can then present the bill at the sub-treasury for payment on the first working day of the next month :—

Head Masters of Government High Schools situated at places which are not the headquarters of treasuries. (The bills of a school situated at a place where there is no sub-treasury are paid by District Treasury by money order).

H.P.GOVT. ORDERS

(1) Procedure for payment of arrears of pay, allowance etc., of Government servant transferred from one Division/Office/Deptt. to another and in respect of whom a last pay certificate has been issued.— The undersigned is directed to state that it has been observed that no uniform procedure for the payment of arrears of pay and allowances etc. of a Government servant transferred from one Division/Office/Department to another and in respect of whom a last pay certificate has been issued, is being followed. This matter has been under consideraction of Government for some time past. It has been decided by the Himachal Pradesh Government in consultation with the Accountant General, H.P. that the following procedure may be adopted by all the offices in the matter of drawing arrear claims of the Government servants who are working under their control :—

The drawing and disbursing officer of the office in which the Government servant is currently working, may prepare "Due and Drawn Statement" in respect of arrears of pay and allowances of such a Government servant and send it to his earlier office(s)/parent office as the case may be, for verification of the claim. The latter office may check these statements, make entries in their records (i.e. in the office copies of the bills) and return to the concerned drawing officer with a certificate that the arrears relating to the Government servant have been noted in the relevant office copies of the bills. On receipt of the "Due and Drawn Statement" duly vetted by the earlier/parent office, the Disbursing Officer may prepare the arrear bills of the Government servant in the proper form, record the necessary certificate as required in rule 4.37 of the Subsidiary Treasury Rules and draw the bills from the Treasury and disburse the arrears to him on proper acquittance. The expenditure in this behalf may be debited to the budget provisions of his office.

[H.P., F.D., letter No. 1-9/73Fin-(Regulation), dated the 3rd April, 1974]

(2) Procedure for grant of leave /extension of leave and disbursement of leave salary to Government servant transferred from one Department to another or from one office to another in the same Department, while he is already on leave or in transit.— The question of laying down procedure for the grant of leave or extension to leave and disbursement of leave salary to a Government servant transferred from one Department to another Department while he is already on leave or in transit from one department to another was receiving attention of the Government for some time past. It has been decided that the undermentioned procedure shall be followed in that behalf:–

(i) In case where a period of leave has already been sanctioned by a Department and the Government servant concerned is transferred to another Department where he has to join on the expiry of leave, the issue of formal orders/ notification sanctioning leave and the payment of leave salary shall devolve on the Department from where he is transferred.

(ii) In case where extension of leave is applied for in continuation of the leave already granted to him by the Department from which he is transferred, the issue of formal orders/notification sanctioning leave and the payment of leave salary shall devolve on--

(a) the department where he is to report for duty, if the transfer or reversion of the Government servant to such Department is to take effect from the date of expiry of the original spell of leave, or

(b) the Department from which he is transferred, if the transfer/reversion is to take effect from the date of expiry of extension of leave applied for.

(iii) In case where the leave is applied for by a Government servant during the period of transit from one Department to another Department, the leave should be sanctioned by the Department where he has to report for duty and that Department should make suitable administrative arrangements incumbent on the sanctioning of leave.

The procedure prescribed in paragraph I will apply *mutatis mutandis* in case of grant of leave and disbursement of leave salary of Government servants transferred from one office to another under the same Department.

The contents of this communication may be brought to the notice of all administrative authorities concerned for information and guidance.

[H.P. Govt., F.D., O.M. No. 7-1/74-Fin. (Reg.), dated the 27th April,1976]

(3) Pay of employee to be drawn only from the station/institution/office where he is actually posted/working.— See Decision below Rule 4.168 of H.P. Subsidiary Treasury Rules.

(4) Incumbents/employees not to be shifted to or deployed in stations/offices, where no post is sanctioned or exists.— See Decision below Rule 4.168 of H.P. Subsidiary Treasury Rules.

(5) Procedure for drawal of pay and allowances of gazetted officers holding temporary posts in case of delay in the issue of sanction for the continuance of post.— See para 5 of Order (1) below Rule 6.1 in this Compilation.

5.2. Pensions fixed at monthly rates are payable monthly on and after the first day of the following month. Non-service pensions are, however, payable half-yearly in the months of June and December, except in special cases where the Commissioner has authorised monthly payments.

All charitable allowances which are little more than subsistence allowance should ordinarily be paid monthly.

II—DEATH OF PAYEE

5.3. (a) Pay, allowance or pension can be drawn for the day of a person's death, the hour at which death takes place has no effect on the claim.

Note.— 'Day' for the purpose of this rule should mean a calender day beginning and ending at midnight.

[1](b) Pay and other allowances or pensions claimed on behalf of a deceased Government servant or pensioner may be paid without the production of the usual legal authority; (1) to the extent of Rs. 2,500 under the orders of the Collector or other officers responsible for the payment after such enquiry into the right and title of the claimants as may be deemed sufficient; (2) for the excess over Rs.2,500 under the orders of Government on execution of an indemnity bond for the gross amount due for payment with such sureties as it may require, if it is satisfied of the right and title of the claimant and considers that undue delay and hardship would be caused by insisting on the production of letters of administration.

In any case of doubt, payment shall be made only to the person producing legal authority. Payment of arrears of pension on behalf of a deceased pensioner is further subject to the provisions of Note 3 below this rule.

Note 1.—Normally there should be two sureties both of known financial ability, unless the gross amount of the claim is less than Rs. 5,000 in which case the authority accepting the indemnity bond, in H.P.F.R. From 5 for and on behalf of the Governor of Himachal Pradesh should decide, on the merits of each case, whether to accept only one surety instead of two.

Note 2.—The obligor as well as the sureties executing the indemnity bond should have attained majority so that the bond may have legal effect or force. The bond is also required to be accepted on behalf of the Governor of Himachal Pradesh by an officer duly authorised under Article 299(1) of the Constitution of India.

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1. Last sentence of Rule 5.3 (b) added by H.P. Govt.. F.D.. Notification No. Fin. (C)-A (3)-7/76. dated the 21st May. 1976.

[1]Note 3.— Payment of arrears of pension due to deceased pensioner may be made to his heirs, provided that they apply within one year of his death. It cannot be paid thereafter without the sanction of the authority, by whom the pension was sanctioned to be obtained through the Accountant General. Where the arrears do not exceed Rs.100 and the case presents no peculiar features, the Accountant General may pass the arrears on his own authority.

[1]Note 4.— Pensioners are allowed to register the names of their heirs with the Treasury Officers under advice to the Accountant General, Himachal Pradesh, and Chanidigarh. Arrears due to the deceased pensioners may be paid by the Treasury Officers to the heirs of the deceased as recorded with the Treasury Officer on submission of a death certificate signed by a responsible officer, the pensioner's copy of P.P.O. and a declaration of heirship in the form appended below:–

*I....................do hereby declare that I am the............and lawful/nominated heir of the late pensioner....................Treasury Serial No......... who died at.............. on the..................... day of .... as per death report and heirship certificate from.............

Signature of heir

Witness.

We the undersigned vouch for the truth of the above statement:--

1. ....Designation
2. ....Designation

Declaration made before me this...............day of ....19......
Station..........

Officer paying pension.

*Here enter degree of relationship

Note.— The words "and heirship certificate from......" should be struck out when the heir has been nominated by the pensioner.

If there be more than one nominated heir, the arrears should be paid to the one who producers written authority from other nominated heirs waiving their claims in his favour or certificate of heirship from Civil Court unless all the nominated heirs attend together to receive payment in which case payment of the amount should be made to them in equal shares without requiring the production of certificate from the Civil Court.

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[1] Notes 3 and 4 under rule 5.3 added by H.P. Govt., F.D., Notification No. Fin. (C)-A(3)-7/76, dated the 21st May, 1976.

Pensioners are permitted to nominate alternative heirs. The heirs so nominated will be serially numbered in order of priority of right to the payment of such arrears and will not be treated co-heirs

Treasury Officer shall ensure that the name(s) of the heir(s) specified in the nomination form submitted by the pensioner is/are entered in the index register as well as on the Treasury copy of the P.P.O. under his signatures and the nominations made by the pensioners are kept in the personal custody of a responsible officer of the Treasury.

(c) Any person claiming as the heir of a deceased pensioner, shall be required to produce the pensioner's portion of the Pension Payment Order, or if no Pension Payment order has been issued, the copy of the order in which sanction to the pension was communicated to the pensioner or his heir.

H.P. GOVT. ORDER

(1) Payment of Arrears of Pension (Nomination) Rules, 1983.— See Annexure at the end of this Chapter.

5.4. Treasury Officers will furnish the Accountant General annually on the 1st September, with a list of all retired Government servants of gazetted bank drawing pension from the treasury whose deaths within the preceding twelve months have come to their notice.

The list should give the following information:--

(1) Name

(2) Service or post

(3) Date of death.

Note.— Police or some other suitable agency should be made responsible for reporting promptly to the district officer the death of any civil pensioner and district officers should enquire immediately into the cause of the non-appearance of any pensioner to draw his pension.

III—BOND OF INDEMNITY FOR DRAWING LEAVE SALARY, PENSIONS, ETC.

5.5. (a) Government servants and pensioners may make arrangements with their agents to draw their leave salaries, vacation pay, pensions, etc., either granting them powers of attorney to enable them to do so, or, leaving their bills duly completed and signed in the agent's custody for collection, the agents in their turn giving Government a bond of indemnity as security against any loss in case of overpayment.

Note 1.—For the life certificates and non-employment certificates to be produced by agent in respect of pensioners *see* Subsidiary Treasury Rules.

Note 2.—A register of power-of-attorney should be maintained by the disbursing officer in the form prescribed in the Government Securities Manual and all cases in which the power-of-attorney has been granted should be recorded therein.

(b) The form of indemnity bond prescribed for use by banks or firms authorised to draw the pay and leave salary of Government servants, pensions, etc., is given below. The bond of indemnity must be stamped.

our
In consideration of------------------------being permitted to draw the
their

pay
----
leave salary of .... during his absence from the
----
pension

we
State,-- hereby engage to refund to the
the (here insert the name of bank)

us
Government, on demand, any overpayment that may be made to--------- as his
them

agents
----
agent

(c) It must be seen that the person signing the bond of indemnity has authority to bind the firm or bank.

(d) It is not necessary for separate bond to be entered into for each individual. Such banks as are included in the Second Schedule to the Reserve Bank of India Act, 1934 (hereinafter called scheduled banks) may be allowed to execute a general bond in the form given in Appendix 8 to cover the pay, leave salary and pensions, etc., of their constituents in general.

Separate bonds must be executed for payments relating to or for persons whose salaries or pensions are debitable to the Central Government and those debitable to a State Government. The applications for such bonds will be dealt with by the Government (Central or State) concerned.

Exception.—Such co-operative banks which are not included in the Second Schedule of the Reserve Bank of India Act, 1934, but who undertake commercial banking and who are recommended in this regard by the Reserve Bank in view of their satisfactory financial position, may be allowed by the Government to execute a general bond of indemnity under this rule.

H.P. GOVT. ORDERS

(1) **Execution of indemnity bond.**—(a) I am directed to refer this Department letter of even No. dated the 3rd September, 1973 addressed to the Agents/Managers of various banks and a copy endorsed to all Treasury Officer in Himachal Pradesh and to say that the Treasuries were authorised to allow pay & allowances and pensions through banks upto 31st October, 1973 without insisting upon the requirement of execution of indemnity bonds laid down in Himachal Pradesh Financial Rules. Since the banks have sought certain clarifications in the matter and it would take some time to send replies to them, the payments may continue to be made as usual till further orders.

[H.P. Govt., F.D.., No. 1-7/73-Fin. (Reg.), dated the 19th January, 1974]

(b) In continuation of this Deptt.'s endorsement of even No. dated the 3rd September, 1973, on the subject, I am directed to say that the Punjab National Bank has executed Indemnity Bond for drawing pay, pension and annuities, etc.

[H.P. Govt., F.D., No.1-7 73-Fin.(Reg.), dated the 29th April, 1976]

(c) In continuation of the Deptt.'s endorsement of even No. dated the 3rd September, 1973 on the above subject, I am directed to say that the State Bank of Patiala has executed Indemnity Bond for drawing pay, pension and annuities, etc.

[H.P. Govt., F.D., No.1-7 73-Fin.(Reg.), dated the 27th September, 1976]

IV—LAST PAY CERTIFICATE

5.6. For the instructions issued by the Comptroller and Auditor General for the preparation of last pay certificate *see* Subsidiary Treasury Rules.

H.P. GOVT. ORDERS

(1) **Last Pay Certificate—Provisions of H.P. Treasury Rules.**— See Rule 23 of H.P. Treasury Rules and Rules 4.35 and 4.176 of H.P. Subsidiary Treasury Rules.

(2) When the head of an office is himself a non-gazetted Government servant he should not sign his own L.P.C.— See note 2 below Rule 4.35 of H.P. Subsidiary Treasury Rules.

(3) Provisional payment of salary pending receipt of L.P.C..— See Decision below H.P. Treasury Rule 23.

(4) Procedure for payment of arrears of pay, allowances etc. of Government servant transferred from one Division/office/Department to another and in respect of whom a last pay certificate has been issued.— See Order (1) below Rule 5.1 in this Compilation.

(5) Payment of T.A. to retired employee for journey of self and family and transportation of personal effects from last station of duty to home town to be made without asking him to surrender L.P.C..— See Decision below Rule 23 of H.P. Treasury Rules.

(6) Last payment of salary to a Government servant finally quitting service or placed under suspension or who is about to retire or to proceed on leave out of India or to a contract officer or a temporary employee proceeding on foreign service in or out of India—Procedure regarding.— See sub-rules 1, 2 and 3 below Rule 4.25 of H.P. Subsidiary Treasury Rules and Note (5) below Rule 4.31 of H.P. Subsidiary Treasury Rules.

V—FUND AND OTHER DEDUCTIONS

5.7. (a) The responsibility of drawing officer in the matter of noting the proper deductions, etc., from pay bills on account of provident and other funds is laid down in Subsidiary Treasury Rules.

(b) Deductions from pay bills on account of income-tax shall be made strictly in accordance with the relevant provisions of the Income-Tax Act, 1961, (43 of 1961) as modified from time to time and the rules and orders issued thereunder.

H.P. GOVT. ORDERS

(1) Policy of Government in regard to overpayments made to Government servants.— Recovery of overpayments made to Government servants should not be waived merely on the ground that the overpayment was made in good faith and the recovery would cause hardship. In this connection, attention is invited to para 5 of the report of the Military Accounts Committee on the Appropriation Accounts for 1943-44 wherein it was emphasised that every overpayment of money to a public servant is and must be regarded as debt owed to the public and all possible action should be taken to recover it with despatch. The policy of the Government will be to enforce recovery in all cases where it is possible and where the Government servant is not clearly entitled to the money in question even after it has been drawn it good faith. It is not, however, intended that the extreme criterion of physical impossibility to recover the dues should be enforced, where such recovery might cause, in the opinion of the competent authority, undue hardship or distress in genuine cases.

[G.I., M.F., O.M.No.F.24(5)-EG-1/52, dated the 6th February, 1952]

(2) Payment of a recurring nature, considered inadmissible by audit, not to be normally continued till a final decision is obtained from the competent authority.— Once a particular payment, which is of a recurring nature, is considered inadmissible by audit, continuance of the payment pending a decision by the competent authority involves the risk of increasing the amount of recoverable overpayments. The audit point of view should, therefore, ordinarily be provisionally accepted by the administrative authorities and further payments on that account should not normally be made till a final decision is obtained from the competent authority. In exceptional cases where the administrative authorities consider that, in the public interest, the continuance of such payments pending a final decision by the competent authority is absolutely necessary, payments should he made provisionally and snbjeet to recovery, the payee receiving the payments being so informed specifically. The fact that payments are being continued in spite of the audit objection should also be reported to the authority to whom the case is referred for a final decision.

[G.I., M.F., O.M. No.F.11 (16)-E-II (A)61, dated the 10th May,1961 and O.M. No. F.I.(62) E-11 (A)/62, dated the 7th February, 1963]

(3) Rate of recovery of overpayments from Government servants (other than those under suspension).— See Note 5 below Rule 6.1 of H.P. Subsidiary Treasury Rules.

(4) Rate of recovery of overpayments from Government servants under suspension.— See Note 4 below Rule 6.1 of H.P. Subsidiary Treasury Rules.

(5) Insertion of condition where the amount due is written off merely because the person in no longer in service.— See Order below Rule 18.4 in this Compilation.

(6) Treasury Officers not to pass any pay bill which does not contain certificate of recovery of rent.— See Decision below Rule 4.18 of H.P. Subsidiary Treasury Rules.

(7) Overtime allowance is a part of salary and as such is liable to income tax.— Overtime allowance is clearly a part of salary and is liable to income-tax. It has to be aggregated with the other salary income of the concerned employee and wherever liable, income tax is required to be deducted at source in view of Section 192 of the Income-tax Act.

In the salary certificates to be issued to the employees under Section 203, the overtime allowance would be included in the amount of income chargeable under the head "Salaries".

[Extract from G.I., Central Board of Direct Taxes, New Delhi latter No.275/22/80-IT (B), dated the 26th November 1980, circulated vide H.P. Govt., F.D., letter No Fin .(D) (F) 15-1/80, dated the 22nd December,1980]

(8) Honorarium is not exempt from income tax - The head of office paying honorarium to inform the disbursing officer from whom the payee normally draws his regular monthly salary about payment of honorarium with a copy endorsed to the Income Tax Department.— *(a) Point raised.* – I have the honour to state that H.P. Institute of Public Administration is paying honorarium to the faculty members (mostly Government officers) who are invited to deliver lectures to trainees. It also pays remureration/honorarium to the paper setters and evaluators of papers for Departmental Examinations at the rates sanctioned by the Government. These payments are of casual and non-recurring nature. It may, therefore, kindly be clarified as to whether such payments are to be counted towards salaries income under Section 17 (Chapter IV) of Income Tax Act, 1961 which does not specify "honorarium" According to Section 10 (Chapter III) of the Income Tax Act, such payments of casual and non-reeorring nature are not to be taken into account for the purpose of income tax to the extent such receipts do not exceed one thousand rupees.

Clarification .— If the services are rendered by the employee, tax is deductible as it is part of salary as the payment is made by the employer.

[Central Board of Direct Taxes, New Delhi letter No. 200/41/83-II (A I), dated the 30th January, 1984 in reply to Director, H.P. Institute of Public Administration, Fairlawns Shimla. letter No. H I PA (Acctt) 12/73-II, dated the 23rd March, 1983]

(b) The head of office paying honorarium will also inform the disbursing officer from whom the gazetted officer normally draws his regular monthly pay and allowances about the fact of payment having been made to gazetted officer with a copy endorsed to the Income Tax Department and the latter (head of office) on receipt of such an intimation will take this fact of payment into consideration in determining the amount of tax to be deducted at source from the salary of the gazetted officer in question.

[Extract from Exception No. 2 below Rule 22 of H.P. Treasury Rules]

(9) Leave Travel Concession - Extent of exemption from income tax.— I am directed to say that from this year w.e.f. 1st April 1989 there has been a change in the clause and rule governing L.T.C. etc. in Income Tax. In the earlier provisions, there was no restriction on the mode and amount involved in the travel.

Under the new provision, there is a monetary ceiling which is up to the air- conditioned second class fare by the shortest route to the place of destination, where there is a railway connection. Where there is no railway facility, the amount is restricted to 1st class or *Delux* class fare of the public transport system. In case any one chooses to avail of L.T.C. by air, he shall have to pay Income Tax on the difference between the monetary limit prescribed and the air fare.

The above contents may please he brought to the notice of all the Disbursing Officers.

[Tax Consultant, H.P. Govt., letter No. Fin. 1F (C) 12-7/89, dated the 15th December 1989]

(10) House Rent Allowance – Extent of exemption from income-tax.— Under Section 10 (13A) of the Income-tax Act,1961, any special allowance specifically granted to an assessee by his employer to meet expenditure incurred on payment of rent (by whatever name called) in respect of residential accommodation occupied by the assessee is exempt from Income-tax to the extent as may be prescribed having regard to the area or place in which such accommodation is situated and other relevant considerations. According to rule 2A of the Income-tax Rules, 1962, the quantum of exemption allowable on account of grant of special allowance to meet expenditure on payment of rent shall be:-

(a) The actual amount of such allowance received by an employee in respect of the relevant period; or

(b) The actual expenditure incurred in payment of rent in excess of 1/10 of the salary due for the relevant period ; or

(c) Where such accommodation is situated in Bombay, Calcutta, Delhi or Madras, 50 % of the salary due to the employee for the relevant period; or

(d) Where such accommodation is situated in any other place, 40 % of the salary due to the employee for the relevant period; whichever is the least.

For this purpose, "Salary" includes dearness allowance, i.e. if the terms of employment so provide, but excludes all other allowances and perquisites.

It has to be noted that only the expenditure actually incurred on payment of rent in respect of residential accommodation occupied by the assessee subject to the limits laid down in rule 2A, qualifies for exemption from income-tax. Thus, house rent allowance granted to an employee who is residing in a house/flat owned by him is not exempt from income-tax. The disbursing authorities should satisfy themselves in this regard by insisting on production of evidence of actual payment of rent before excluding the house rent allowance or any portion thereof from the total income of the employee.

Though incurring actual expenditure on payment o rent is a pre-requisite for claiming deduction under section 10 (13A) it has been decided as an administrative measure that salaried employees drawing house rent allowance upto Rs.600/- per month will be exempted from production of rent receipt. It may, however, be noted that this concession is only for the purpose of tax-deduction at source, and, in the regular assessment of the employee, the Assessing Officer will be free to make such enquiry as he deems fit for the purpose of satisfying himself that the employee has incurred actual expenditure on payment of rent.

[Central Board of Direct Taxes, Govt. of India, New Delhi circular No.747, dated the 2nd December, 1996 to all State Govts. etc.]

VI—TRANSFER OF PENSION

5.8. A copy of an order issued under the Subsidiary Treasury Rules permitting the transfer of pension from a treasury in the Himachal Pradesh to a treasury in some other State should be forwarded to the Accountant General, Himachal Pradesh. The Collector of the district from which the payment is to be transferred should also return his half of the Pension Payment Order to the

Accountant General of the State concerned to arrange for the payment of pension at the treasury at which the payment is desired.

VII—ATTACHMENT OF PAY AND ALLOWANCES, ETC., FOR DEBT

(I) Pay and Allowances

5.9. (a) When the pay of a Government servant is attached by an order of a court of law, it is the duty of the officer receiving the attachment order to see that proper deduction is made in satisfaction of such order from the pay of the Government servant concerned.

When a Government servant is adjudged insolvent, the attachable portion of his salary vests in the court that passed the order of insolvency or the Receiver appointed by the court. The amounts which have been under attachment in execution of decrees against the insolvent shall, after the order of insolvency, vest in the court that passed the order or the Receiver, as the case may be. The attached amounts instead of being sent to the various courts which issued the orders of attachment, shall be sent to the Insolvency Court or the Receiver, as the case may be, for *pro rata* distribution among all the creditors of the insolvent Government servant.

Recoveries from the salary of Government employees on account of dues of the co-operative societies, registered under the Co-operative Societies Act, where such Act imposes a statutory obligation on the Government to make such deductions, shall be made by the drawing and disbursing officers, in the case of non-gazetted Government servants who do not draw their own bills and in other cases by the Treasury Officer on the advice of the Accountant General or by the other appropriate disbursing officer concerned, as the case may be , in accordance with such procedure as may be laid down by Government from time to time.

Note.— The extent to which the emoluments of a Government servant are exempt from attachment for debi is laid down is sub-section (1) of section 60 of the Code of Civil Procedure, 1908, as amended. An extract of the relevant provisions of the section is reproduced in Appendix 9.

(b) The following instructions should be observed in recovering amounts from Government servants on account of attachment orders issued by courts:—

(1) The maximum amount attachable by a civil court is to be calculated on the amount earned and not what remains after satisfying any debt due to Government on account of advance taken under rules. Thus if the total gross emoluments earned by the Government servant are represented by X, and the allowances declared to be exempted from attachment (*vide* note in Appendix 9) and, if the Government servant is under suspension, any subsistence grant or allowance made to him, are represented by Y, the net amount attachable if any, is $\frac{x-y}{2}$ 50.*

(2) Any deductions which may have to be made on account of subscriptions to provident funds recognised by Government, taxes on income payable by the Government servant and debts due to Government should be made from the non-attachable portion of Government servant's salary.

(3) Recoveries in satisfaction of attachment orders should be made in the order in which they are received and should be made by the head of the office in the case of non-gazetted Government servants, and Treasury Officers in the case of gazetted officers.

Note 1.—The cost, if any, of remittance to a court of money under its attachment order shall be deducted from the amount realised and the net amount remitted to the court.

Note 2.— In case in which a judgement-debtor does not sign the acquittance roll and intentionally allows his pay to remain undisbursed, or the judgement-debtor, being a gazetted Government servant, or not being a gazetted Government servant but being permitted to draw his pay on a separate pay bill, refrains from preparing his pay bill and drawing his pay regularly in order to evade payment on account of an attachment order issued by a court of law, the head of the office, or, in the case of a gazetted Government servant or of a Government servant treated in this respect like a gazetted Government servant, the Administrative Officer of the department concerned may draw the pay of the judgement debtor in satisfaction of the attachment order subject to the prescribed restrictions and remit the amount to the court concerned.

The amounts drawn as above shall be treated in the accounts in the same way as leave salary, or pay drawn by the Government servant concerned the particulars of the attachment order being cited in the pay bill or the acquittance roll, as the case may be, as an authority for the charge, and the court's receipt for the amount shall be filed with the attachment register or such other suitable record as may be kept by the drawing officer.

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* Under the C.P.C. (Amendment) Act, 1976, w.e.f. 1-2-1977 the limit of salary not liable to attachment is first four hundred rupees and two-thirds of the remainder. The amount attachable w.e.f. 1-2-77 will, therefore, be [X-Y-400] as given in Rule 226 of the C.T.R., Vol. I.—*Compiler.*

(II) Pensions

5.10. The liability of pension to attachment by a civil court is regulated by section 11 of Act XXIII of 1871, which runs as follows:--

> "No pension granted or continued by Government on political considertions, or on account of past services or present infirmities or as a compassionate allowance, and no money due or to become due, on account of any such pension or allowance, shall be liable to seizure, attachment or sequestration by process of any court in India at the instance of a creditor for any demand against the pensioner, or in satisfaction of a decree or order of any such court."

VII— PROCEDURE FOR ISSUE OF PAY, ETC., TO MEMBERS OF THE AUXILIARY FORCE UNITS ON CALLING OUT OR EMBODIMENT

5.11. The issue of pay, etc., of civilian Government servants who are members of the Auxiliary Force (India) Units, when called out or embodied under section 18 of the Auxiliary Force Act, is regulated by the instructions laid down in paragraph 225 of the Regulations for the Auxiliary Force (India), 1933.

IX—COMMUNICATION TO AUDIT OF THE ORDERS AFFECTING PAY ETC.

5.12. (a) Orders affecting the personal emoluments, posting, leave, etc., of gazetted Government servants only should be communicated to Accountant General by the sanctioning authorities. If, however, an order affecting a gazetted Government servant is notified in the Gazette,separate intimation to Audit, by letter, is not necessary except in cases or urgency.

(b) Changes in the personnel of subordinate establishments and in their emoluments should be indicated in pay bills and absentee statement by the authorities preparing those documents, who are responsible that orders of competent authority are obtained in each case as required by the rules. Orders of a special nature authorising the grant to a non-gazetted Government servant (or ordering the discontinuance) of any increase in the emoluments or otherwise affecting the emoluments admissible to him against the sanctioned pay of the appointment which he holds should, however, be communicated to the Audit Office by letter.

(c) All orders revising sanctioned scales or sanctioning the creation or abolition of permanent or temporary posts should at once be communicated by letter to the Accountant General.

X—TRANSFER OF CHARGE

5.13. In the transfer of charge, the following points should be observed:--

(1) The cash book (or where no cash book is maintained, acquittance rolls), contingent register and imprest account should be closed on the date of transfer and a note recorded in it over the signature of both the relieved and relieving Government servants, showing the cash and imprest balances, and the number of unused cheques, if any, made over and received in transfer by them, respectively.

(2) The relieving Government servant n reporting that the transfer has been completed should bring to notice anythin irregular or objectionable in the conduct of business that may have come officially to his notice. He should examine the accounts, count the cash, inspect the stores, count, weigh and measure certain selected articles in order to test the accuracy of the returns. He should also describe the state of the records.

(3) In the case of any sudden casualty occurring or an emergent necessity arising for a Government servant to quit his charge, the next senior Government servant of the department present will take charge. When the person who takes charge is not a gazetted Government servant he must at once report the circumstances to his nearest departmental superior and obtain orders as to the cash in hand, if any.

ANNEXURE

(1) पैंशन के बकाया भुगतान (नामांकन) नियम. 1983.— (a) इस विभाग के कार्यालय ज्ञापन संख्या फिन (सी) ए (3)-2/82 दिनांक 28/11/1984 द्वारा पैंशन के बकाया भुगतान (नामांकन) नियम, 1983 हिमाचल प्रदेश सरकार के कर्मचारियों पर भी लागू किए गए थे जिन्हें बाद में समय समय पर संशोंधित किया जाता रहा है। परन्तु ऐसा देखने में आया है कि उपरोक्त नियमों के प्राबधानों को ठीक तरह से लागु नहीं किया जा रहा है जिसके फलस्वरूप ज्यादातर पैंशनर इस नामांकन सुविधा का लाभ नहीं उठा पा रहे हैं। अगर पैंशनर की मृतयु हो जाती है तो नामांकन के अभाव में उसके परिवार को बकाया लेने में कठिनाई तथा विलम्ब का सामना करना पडंता है।

2. अतः उपरोक्त नियमों की आज तक संशोधित एक प्रति संलग्न करते हुए अधोहस्ताक्षरी को यह कहने का निदेश हुआ है कि उपरोक्त नियमों में दी गई सुतिधा सभी पैंशनरों / सेवा निवृत होने वाले कर्मचारियों को उपलब्ध करा दी जाए ताकि इसका लाभ सभी को मिल सके।

3. इसके इलावा भारतीय रिजर्व बैंक ने भी 1985 से सरकारी क्षेत्र के बैंकों मे सभी जताकर्ताओं को भी नामांकन सुविधा उपलब्ध करा दी है जिसके अनुसार जमाकर्ता की मृत्यु के उपरान्त नामांकित व्यक्ति को खाते में पड़ी रकम का भुगतान हो सकता है। जो पैंशनर बैंकों से पैंशंन प्राप्त कर रहे है. वे उपरोक्त सुविधा का लाभ उठा सकते है।

4. अतः सभी प्रशासनिक विभागों/ विभागाध्यक्षों तथा पैंशन संवितरण प्राधिकारियों से अनुरोध है कि वह उपरोक्त प्रावधानों को सभी पैंशनरों के ध्यान में ला दें ताकि वे नामांकन सुविधा का लाभ उठा सकें !

[हि० प्र० सरकार, वित्त विभाग, कार्यालय ज्ञापन संख्या फिन (पैन) ए (3) - 5/90, दिनांक 22 जून, 1990]

Payment of Arrears ofPension (Nomination) Rules, 1983

In exercise of the powers conferred by section 15 of the Pensions Act, 1871 (23 of 1971), the Central Government hereby makes the following rules, namely:--

1. Short title and commencement.— (1) These rules may be called the Payment of Arrears of Pension (Nomination) Rules, 1983.

(2) They shall come into force on the date of their publication in the Officia! Gazette.

2. Application.— These rules shall apply to the Central Government pensioners who are in receipt of any pension under the rules which govern such pensioners and which is payable by the Government out of the Consolidated Fund of India.

3. Definitions.— In these rules, unless there is anything repugnant in the subject or context,--

(a) "*Act*" means the Pensions Act,1871 (23 of 1871);

(b) "*Form*" means a Form appended to the rules ;

(c) "*Nomination*" means nomination made under these rules ;

(d) "*Pension disbursing authority*" means the authority through whom penion is drawn and includes--

(i) branch of a nominated public sector bank ; or
(ii) treasury including sub-treasury ; or
(iii) Accounts Officer.

4. Nominee of pensioner to receive arrears of pension.— Any pensioner to whom any pension is payable by the Government out of the Consolidated Fund of India may nominate any other person (hereinafter referred to as the nominee) in accordance with the provisions of rule 5 who shall receive, after the death of the pensioner all moneys payable to the pensioner on account of such pension on, before or after the date of such nomination and which remain unpaid immediately before the death of the pensioner.

5. Nomination.— (1). Every pensioner who has retired on or before the date of commencement of these rules shall within nominate any person for the purpose of rule 4 in Form 'A' and submit it, in triplicate, by personal service after taking receipt or by sending through registered post aknowledgement due to the respective Pension Disbursing Authority through whom pension is drawn.

(2). Within thirty days of the receipt of nomination in Form 'A' as referred to in sub-rule (1), the Pension Disbursing Authority shall get the particulars of the pensioner, as mentioned in Form 'A' verified with reference to the available records and return to the pensioner, after obtaining a receipt thereof, the duplicate copy of the nomination in Form 'A' duly attested by him or an officer authorised by him in this behalf. The triplicate copy shall be sent to the Accounts Officer of the Department from where the pensioner had retired while the original copy of the nomination shall be recorded.

(3) Every employee who is due to retire after the date of commencement of these rules shall submit the nomination, in triplicate, in From 'A' to the Head of Office or the Department from where he is retiring within three months before or after the date of retirement.

(4) Within thirty days of the receipt of the nomination in Form 'A' under sub-rule (3), the Head of Office shall get the particulars of the pensioner, as mentioned in Form 'A' verified with reference to the records of the establishment and return to the pensioner, after obtaining the receipt thereof, a duplicate copy of the nomination is Form 'A', duly attested by him or by an officer authorised by him in this behalf. The triplicate copy duly accepted shall be sent to the Accounts Officer, who shall pass it on to the Pension Disbursing Authority alongwith the Pension Payment Order. If the Pension Payment Order has already been issued in a particular case, the nomination shall be sent separately quoting PPO number and other particulars of the pensioner to enable the Pension disbursing Authority to link it up with the P.P.O.

(5) A notice of modification of nomination including cases where a nominee pre-deceases the pensioner shall be submitted in triplicate in Form 'B' to the Pension Disbursing Authority in the manner specified in sub-rule (1) and thereafter the provisions of sub-rule (2) shall apply *mutatis mutandis* with modifications as if it was made under sub-rule (1).

(6) A nomination or a fresh nomination or a notice of modification of nomination shall be signed by the pensioner or, if he is illiterate, shall bear his thumb impression given in the presence of two witnesses who shall also sign a declaration to that effect in the nomination, fresh nomination or notice of modification of nomination, as the case may be.

(7) Nomination, fresh nomination or a notice of modification of nomination shall take effect from the date of receipt thereof by the Pension Disbursing Authority or the Head of Office, as the case may be.

6. *Accepted nomination to be conclusive proof.*— A nomination made under rule 5 and accepted by the Pension Disbursing Authority or the Head of Office, shall be a conclusive proof with regard to the person nominated to receive arrears of pension of the pensioner under these rules.

7. *Mode of payment of arrears.*— The arrears of pension payable under these rules shall be paid accordance with the provisions of the existing rules governing the mode of payment of pension.

8. *Interpretation.*— Where any doubt arises as to the interpretation of these rules, the matter shall be referred to the Government of India in the Ministry of Home Affairs (Department of Personnel and Administrative Reforms) for decision.

[G.I., M.H.A. Deptt. of Personnel & Admn. Performs, Notification No. 26 (3) Pension Unit 82, dated the 26th August, 1983 as amended vide G.I., Deptt. of Per. & A.R., Notification Nos. 26(3)-Pension Unit 83-II, dated 3rd March, 1984, No. 26(10)-Pension Unit 84, dated the 1st December, 1984, No. 26 5 85-Pension Unit, dated the 24th December, 1985 and Deptt. of Per. & P.W. Notification No. 26 5 85-P&PW, dated the 19th September, 1986]

(b) if any pensioner fails to make nomination within the stipulated period, the heirs of the deceased pensioner will have to follow the normal procedure i.e. to produce succession certificate for claiming life -time arrears of pension.

[Extract from G.I., M.H.A., Deptt. of Per. & A.R., letter No. 26(3)-Pen. Unit 83 (Vol-II), dated the 3rd March, 1984, circulated vide H.P. Govt., F.D., O.M. No. Fin (C) A(3)-2 82, dated the 28th November, 1984]

(2) No nomination facility for family pension.—Suggestions have been received in the Department of Pension & Pensioners' Welfare for extending the nomination facility to family pensioners in respect of Life-Time Arrears (LTA) of family pension on the lines of provision for pensioners contained in Payment of Arrears of Pension (Nomination) Rules, 1983.

2. The matter has been considered by the Government. Family pension unlike pension is granted by the Government for the sustenance of the family of the deceased Government servant/pensioner and is in the nature of a welfare measure, whereas pensioner is granted pension for the past services rendered by him. Accordingly, it is not considered necessary to provide the facility of nomination facility for family pension. In the event of death of a family pensioner, the right to receive any arrears of family pension would automatically pass on to the eligible member of a family next in line in accordance with Rule 54 of CCS (Pension) Rules.

3. The requirement of succession certificates for payment of any arrear should be required only in cases; where there is no eligible family member as defined in the above Rule 54, after the death of a family pensioner.

4. These instruction may be brought to the notice of all disbursing authorities.

[G.I., Deptt. of P. & P.W., O.M.No. 43 4 95- P & PW (G), dated the 30th October, 1995, circulated vide H.P. Govt., F.D., O.M.No Fin (Pen) A (3) - 1 95, dated the 1st February, 1996]

FORM-A

(See Rule 5)

Pension Disbursing Authority/Head of Office
(Name of Bank/Treasury/Post Office/Accounts Officer, etc.)
(Place)...
I, ...hereby nominate the person named below under Rule 5 of the Payment of Arrears of Pension (Nomination) Rules, 1983.
(Name of the pensioner in capital letters)

			If nominee is minor
Name and address of the nominee	Relationship with pensioner	Date of birth	Name and address of person who may receive the said pension during the nominee's minority
1	2	3	4

Name and address of other nominee in case the nominee under column (1) above predeceases the pensioner	Relationship with pensioner	Date of birth if the other nominee is minor	Name and address of person who may receive the pension during the other nominee's minority	Contingency on happening of which nomination shall become invalid
5	6	7	8	9

Place ....
Date ....

Signature (or thumb impression if illiterate) and name of pensioner.

Witness : Signature

Address :

Name and Address..

Signature of Pension Disbursing Authority/Head of Office.

Acknowledgement to be sent by the Pension Disbursing Authority/Head of Office

Certified that application/nomination has been received from (*Name of pensioner*) whose address is

Place ....
Date ....

Signature of Pension Disbursing Authority/
Bank/Treasury/Post Office/Accounts Officer/
Head of Office.

Full Address..

FORM-B

[See Rule 5(5)]

The Pension Disbursing Authority
(Name of Bank/Treasury/Post Office/Accounts Officer, etc.)
(Place)..
I, ...hereby make the following alternative nomination in cancellation of the previous nomination made on ....
(Name of the pensioner in capital letters)
under Rule 5 of the Payment of Arrears of Pension (Nomination) Rules, 1983.

Name and address of the nominee	Relationship with pensioner	Date of birth	*If nominee is minor*
			Name and address of person who may receive the said pension during the nominee's minority
1	2	3	4

Name and address of other nominee in case the nominee under column (1) above predeceases the pensioner	Relationship with pensioner	Date of birth if the other nominee is minor	Name and address of person who may receive the pension during the other nominee's minority	Contingency on happening of which nomination shall become invalid
5	6	7	8	9

Place...............
Date..................

Signature (or thumb impression if illiterate) and name of pensioner.

Address :

Witness : Signature

Name and Address..

Signature of Pension Disbursing Authority
Date Stamp..................................

Certified that application/nomination (Form B) has been received from ....(*Name of pensioner*) whose address is........................... Form A has been cancelled and returned to him.

Place ....
Date ....

Signature of Pension Disbursing Authority/
P.O./Bank/Treasury with full address

CHAPTER VI

Pay, Allowances, etc. of Gazetted Government Servants

I—PAY AND ALLOWANCES

6.1. Save as otherwise provided for in these rules, pay and allowances, are payable only upon the personal claim of the gazetted Government servant concerned, and to his personal receipt and not otherwise, except under the special authority in each case of Government or of the Comptroller and Auditor General. The Government servant may be allowed to receive payment through a messenger duly authorised by him to receive the money, on his account but there can be no endorsement on the bill to pay any such person and in such a case, the Government accept no responsibility in respect of money, cheque or draft that may be handed over to the messenger. At his written request or order, the pay bill of a Government servant, who is permitted to draw his own bills may be made payable to a well known banker or agent provided that the receipt of the banker or agent shall not be accepted as a final quittance unless the bill itself is duly endorsed in favour of the banker or agent by means of a distinct pay order. The receipt of the banker or agent, alike if it is recorded on the bill itself or separately, shall be stamped, unless the receipt on the bill has already been duly signed and stamped by the Government servant himself.

Note.— Payment of sterling overseas pay on behalf of a Government servant to more than one nominee simultaneously is not permissible.

1. Under the above rule, the receipt of the banker or agent shall not be accepted as a financial quittance unless the bill itself is only endorsed in favour of the banker or agent by means of a distinct pay order. The receipt of the banker or agent alike, if it is recorded on the bill itself or separately, shall be stamped unless the receipt on the bill has already been duly signed and stamped by the Government servant himself.

2. A Government servant or a single person cannot be constituted an "Agent" under rule 5.5 for the purposes of the above rule, except when he holds a legally valid power of attorney to act for the Government servant concerned.

3. The provisions of this rule apply to all payments in India, whether on account of pay, travelling or other allowances, which under the rules are made to Government servants on their personal accounts. The requirements of personal claim or personal receipt do not, however, apply in the case of Sterling overseas pay admissible to a Government servant, the amount being payable in the United Kingdom, by the High Commissioner for India, to the receipt of the banker or the agent nominated by the Government servant to receive payment on his behalf.

4. When the endorsement on a bill is incomplete or irregular the procedure laid down in Subsidiary Treasury Rules should be followed. When payment is made by cheque it is not correct to disregard the endorsement and issue a cheque in favour of the drawer.

5. If pay be due is India to a Government servant absent abroad he must make his own arrangements to receive it in India.

6. The claims to pay, travelling allowance and other allowances and honoraria in respect of the N.C.C. Officers shall be drawn on establishment bill forms by the officers commanding N.C.C. Units concerned and the Troop Commander without any authority from the Accountant General, Himachal Pradesh. The claims of officers who hold gazetted civil posts shall, however, be drawn separately from those who hold non-gazetted civil posts.

H.P. GOVT. ORDER

(1) Drawal and disbursement of pay and allowances etc., of gazetted Government servants by Heads of Offices and maintenance of their service records.— (a) The undersigned is directed to state that the question of simplification of the existing system of regulation and drawal of pay and allowances of gazetted officers. under which personal claims are drawn by the officers themselves at rates intimated by the Accountant General, Himachal Pradesh, and transfer of their service records to the departmental authorities, had been under the consideration of the Government of Himachal Pradesh for some time past. The Government of India has, on the recommendation of a Task Force set up by it, already decided to take over the said functions from the Audit and Accounts Department and to entrust them to the departmental authorities in relaxation of the provisions of the Central Treasury Rules. It has also been now decided by the Government of Himachal Pradesh, with the concurrence of the Accountant General, Himachal Pradesh, to follow the new system adopted by the Government of India in this behalf. Accordingly, the Governor, Himachal Pradesh, in relaxation of the provisions contained in Treasury Rules, Subsidiary Treasury Rules, Chapters VI and VII of the Himachal Pradesh Financial Rules, 1971, Volume I, and Part III of the Supplementary Rules, which apply to State Government employees in Himachal Pradesh, is pleased to direct that:–

1) the present arrangement of drawal of personal entitlements by gazetted officers on the basis of authorisation from the Accountant General, Himachal Pradesh, will be discontinued from 1st April, 1977, i.e. for pay for the month of March, 1977 to be drawn in April, 1977. Instead, the determination of entitlements of gazetted officers will be done by the heads of the departments/offices in which they are working:

2) simultaneously, the system of individual officers drawing their own bills will be done away with effect from the said date and instead their pay, leave salary and other allowances will be drawn on establishment bills (Form STR 23) by the disbursing officers concerned; and

3) the service records including leave accounts of gazetted officers will be transferred by the Accountant General, Himachal Pradesh to the departmental authorities.

(2) The above decision will apply to all the gazetted officers of the Government of Himachal Pradesh including those belonging to All India Services, excepting those who are at present serving under a foreign employer. The service record of the officers on deputation/foreign service, will also be transferred by the Accountant General, Himachal Pradesh to the departmental authorities concerned. Pay and allowances of the gazetted officers due from 1st April, 1977 (i.e. pay and allowances for the month of March, 1977 onwards) and any arrear claims not paid by 31st March, 1977, will be drawn by the Disbursing Officers of the offices on Establishment bills (Form STR 23). All other payments of gazetted officers (e.g. Travelling allowance, Reimbursement of medical charges) will be drawn by the Disbursing Officers in the respective offices in forms prescribed for non-gazetted staff and disbursed.

(3) Pending completion of transfer of service records and leave accounts of gazetted officers to the departmental authorities, payments of their salary and allowances by the Disbursing Officers will be regulated as under :—

(i) The bills will be prepared on the basis of information available in the departmental offices and with the gazetted officers concerned e.g. pay slip already issued by the Accountant General, Himachal Praesh. No authority from the Accountant General, Himachal Pradesh or last pay certificate will be required for this purpose.

(ii) The payments will be treated as provisional subject to check of the amount drawn with reference to the entitlements of the officers on receipt of their service records from the Accountant General, Himachal Pradesh and the last pay certificate as indicated hereunder.

(4) Drawal of claims of gazetted officers in non-gazetted bill forms will be governed by the rules in the Treasury and Subsidiary Treasury Rules and H.P. Financial Rules relating to non-gazetted officers.

(5) Separate pay bills will be prepared for gazetted officers. The words "Gazetted Officers (P)" will be written prominently in red ink at the top of the first page of the bills. At present two separate bills are prepared for permanent and temporary non-gazetted establishments. In the case of gazetted officers this requirement will not be necessary. Instead a single bill may be prepared in two parts (Permanent and Temporary) for each category of posts. While in the case of permanent posts the sanctioned strength need only be indicated at the top of each category, in the case of temporary posts the No. and date of the sanction letter will also be indicated. In cases where sanctions for continuance of posts have been applied for the Disbursing Officers may indicate this in the bill and draw pay and allowances of the gazetted officers at earliest rates for three months after the expiry of the term of the temporary posts, by attaching a declaration by the next higher authority that the officer concerned continued to hold his post and sanction for continuance of that post had been applied for.

(6) With effect from 1st April, 1977, the determination of pay and allowances of gazetted officers will be done by the Head of Departments/Offices in the same manner as for non-gazetted staff working under them. Pay fixation cases of the gazetted staff will also be decided with the approval of the competent authority in accordance with the pay fixation rules. In the case of pay and allowances of the Head of Offices such determination will be done by the next higher authority e.g. the Controlling Officer or the Head of the Department and in the case of Head of Department the Administrative Secretary concerned.

(7) The Treasury Officer concerned will issue Last Pay Certificate on or after 31st March, 1977 in respect of gazetted officers under his payment control, indicating the date upto which pay and allowances have been paid. Ordinarily pay and allowances would have been paid upto the month of February, 1977 and other payments in March, 1977 would pertain to advances and supplementary claims only. The fact that the Last Pay Certificate has been necessitated by transfer of work will be indicated in para 4 of the certificate. The Treasury Officer will arrange to send the Last Pay Certificate to the Accountant General, Himachal Pradesh by 30th April, 1977, and copy thereof will also be endorsed to the office in which the gazetted officer is working. The Treasury Officer will check the details in the first bill so presented under the new arrangement with reference to such registers as he has been maintaining in regard to gazetted officers under his payment control for the period upto February, 1977. Subsequent bills will be subjected to the same checks as n the case of all other establishment bills.

(8) Where the cheque system of payments is in vogue, the Treasury Officer will issue cheques "Crossed" or "Account Payee" as indicated in the bills. Where such a system has not been introduced, pay orders will be for cash. The Treasury Officer will indicate in the schedule of payments against each voucher the number and amounts of different cheques in order to enable the Audit/Accounts Officer to tally the net amount of a bill with the total of the cheques issued for that bill, in cases only where cheque system of payment is in vogue.

(9) The cash received from the Treasury in respect of the pay and allowances etc. of the gazetted officers will be entered by the Disbursing Officer in Register entitled "Register of payments of gazetted officer's entitlements" having the following columns:–

(1) Date;
(2) Name of the officer;
(3) No. of the cheque;
(4) Amount;
(5) Bill No. and date against which amount received; and
(6) Acknowledgement.

The Disbursing Officer shall arrange to obtain stamped acquittance, wherever necessary, of the officer on the above Register in Col. 6 or alternatively, it may be taken separately before payment and kept in custody, a suitable note to that effect being recorded in the Register.

(10) If a Gazetted Officer is transferred to another office after 1st April, 1977 and the Accountant General has not furnished his last pay certificate, the Head of Office/Disbursing Officer will issue to the office, under whose payment control the gazetted officer will come, a (Provisional) Last Pay Certificate, in respect of the period for which the gazetted officer was under his payment control. Later a 'final' Last Pay Certificate will be issued in suppression of the provisional one on receipt of service record/Last Pay Certificate from the Accountant General, Himachal pradesh. As indicated above, payments to the gazetted officers will be provisional until receipt of service record from Audit Office. The Disbursing Officer will be responsible for making adjustments of provisional payments/recoveries so made against actual entitlements immediately on transfer of service records.

(11) The Heads of Departments will take immediate action to prepare list of officers working under the Heads of Offices under their control including those on deputation/foreign service and send the lists by the 31st March,1977 to the Accountant General, Himachal Pradesh with the request that the service records of the officers in question should be transferred to the Heads of Officers/their offices, as the case may be. The Heads of Departments will also intimate to the Accountant General, Himachal Pradesh the designation of the Administrative authority who will be responsible for fixation of the entitlements of Heads of Departments so that their service records and other documents are sent to such authorities.

The service records of officers belonging to All India Services and Himachal Pradesh Administrative Service will be maintained by the Chief Secretary to the Government of Himachal Pradesh, Personnel Department (Appointment). The service records of Himachal Pradesh Accounts Services will be maintained in the Treasuries and Accounts Organisation of the Finance Department.

(12) The service record to be transferred to by the Accountant General, Himachal Pradesh should comprise:–

(i) The statement of service showing the posts held and pay to which the officer was entitled from time to time during the preceding three years e.g. from 1st April, 1974 to 31st March, 1977.

(ii) The service record written upto 31st March, 1977.

(iii) The leave account completed upto 31st March, 1977.

(iv) The countersigned copy of the Last Pay Certificate.

(v) Service Book in respect of non-gazetted post(s) if held before appointment to gazetted post.

(13) Pending receipt of service records from the Accountant General, Himachal Pardesh, the service book and leave account of each officer will be opened provisionally by the Heads of Offices/Heads of Departments/Administrative Departments in the same form as prescribed for non-gazetted Government employees. From the service records transferred from

the Accountant General, Himachal Pradesh, entries in the service book and leave account opened provisionally will be completed. For this purpose, it will not be necessary to reproduce the service records in the new service books ; it would be sufficient if they are attached. The balance at credit in respect of various categories of leave as on 1st April. 1977 may be incorporated in the new leave account under proper attestation.

(14) In the case of those officers, who proceed on leave during the intervening period, i.e., before the serviced records are received from the Accountant General, Himachal Pradesh, the title to leave upto 31st March, 1977 in each case should be ascertained from the Accountant General, Himachal Pradesh. He Head of the Department or the Administrative Secretary, as the case may be, should on the basis of this information work out the title of this leave on the date the Government employee actually proceeds on leave. In the case of those who retire during the intervening period, the relevant service record should be called for by the Heads of Departments/Administrative Secretary from the Accountant General, Himachal Praesh, and action should be taken to finalise the pension cases as in done for non-gazetted employees.

(15) The orders in respect of the new system will, however, not be applicable to the drawal of pay and/or allowances of offices to which appointments are made by the President by warrant under his hand and seal. The said orders will also not apply to the drawal of pay and/or allowances of the Ministers, Speaker/Deputy Speaker, Ministers of State, Chief Parliamentary Secretary/Parliamentary Secretary and Members of Himachal Pradesh Vidhan Sabha and non-officials appointed as Members/ Vice Chairman/ Depty Chairman/ Chairman of Committees etc. and in their case the existing procedure for the drawal and disbursement of pay etc. will continue and the use of forms presently used for gazetted officers for specified purposes will be restricted for drawal of pay and /or allowances in their case only.

[H.P. Govt. , F.D., O.M.No. Fin.©-A(3)-5/76, dated the 30th October, 1976 and No. Fin. (C)-A(3)-15/77, dated the 23rd August, 1979]

(b) In continuation of this Department's Office Memorandum No. Fin. (C)-A(3)-5/76, dated 30th October, 1976 containing decision of the Government about introducing the system of drawal and disbursement of pay and allowances etc. of Ggzetted Government servants by Heads of Offices introduced w.e.f. the beginning of the financial year 1977-78, the undersigned is directed to state that the new system for drawal of pay and/or allowances by the Heads of Offices was not applied in the following cases:–

(i) Offices to which appointments are made by the President by warrant under his hand and seal;

(ii) Ministers (including Deputy Ministers), Speaker/Deputy Speaker, Chief Parliamentary Secretary, Members of H.P. Vidhan Sabha; and

(iii) Non-officials appointed as Members, Chairman, Vice Chairman, Deputy Chairman of Committees etc.

With the promulgation of the HIMACHAL PRADESH LOKAYUKATA ORDINANCE, a Lokayukta has been appointed for the State of Himachal Pradesh w.e.f. 7th August,1983 (FN), the date on which Mr. Justice T.V.R. Tatachari, retired Chief Justice of the High Court of Delhi took over that office. The Governor, Himachal Pradesh is pleased to order that the aforesaid new system of drawal of pay and allowances etc. of gazatted Government servants shall also not be applicable to the office of Lokayakta. Accordingly, in the case of Lokayukta salary slip in respect of his pay and allowances etc. shall be issued by the Accountant General, Himachal Pradesh.

[H.P. Govt., F.D., O.M.No Fin (C) A (3) -15/77, dated the 16th September, 1983]

(2) Drawal of pay and allowances of officers and staff of P.W.D. (except in case of Headquarters and Circle officers) by cheques.— See Decision below Rule 4.85 of H.P. Subsidiary Treasury Rules.

6.2. The competent authority is not at liberty to readjust the pay of Government servants by giving one Government servant more and another less than the sanctioned pay of his post; nor may he distribute the pay of an absentee otherwise than as provided in the rules governing the service to which the Government servant belongs. There is, however, no objection to excess appointments being made in a lower unit or cadre against an equal or greater number of vacancies left unfilled in the higher grade. This liberty may not be used for the purpose of increasing the numerical strength of an office. For each vacancy in a higher unit or cadre only one extra post in a lower unit or cadre is admissible.

Note 1.—The members of the lower grade should normally be promoted to the higher grade in ordinary course. Moreover, such a promotion should be in their own line and not outside the normal line.

Note 2.—The excess appointment in the lower grade which is to be adjusted against a vacancy left unfilled in the higher grade in a gazetted capacity may be of a gazetted or a non-gazetted nature.

II—TRANSFER OF CHARGE

6.3. Every transfer of charge of a gazetted Government servant should be reported by post on the same day to the Accountant General in Form S.T.R.2. A copy of the report should simultaneously be sent to the head of the department or other controlling authority concerned. A copy of such a report should simultaneously be sent to the Treasury Officer concerned.

H.P. GOVT. ORDERS

(1) Shortcomings in charge reports.— The undersigned is directed to state that under Rule 6.3 of H.P. Financial Rules, Vol. I, 1971 every transfer of change of a gazetted Government servant should be reported by post on the same day to the Accountant General in Form S.T.R. 2 and a copy of the report should be simultaneorsy sent to the Head of the Department or other controlling authority and to the Treasury Officer concerned. The Audit and Accounts Office have pointed and that in a number of cases the requirement of the rule is ignored and charge reports are either incomplete or sent late with the result that the issue of pay slips in such cases is considerably delayed. They have also pointed out the following shortcomings which are invariably found in the charge reports :—

1. The charge reports are rarely despatched to that office/Treasury Officer/ Controlling Officer on the same day or on the next day.
2. The charge reports do not contain any indication that a copy thereof has also been endorsed to Treasury Officer/ Controlling Officer.
3. In many cases the charge reports are sent to Audit and Accounts Office through the respective Controlling Officer causing delay.
4. Charge reports are required to be signed both by the relieved as well as the relieving officer. This is, however, not being done in many cases. In some cases reports are sent to the Audit and Accounts Office separately by the relieved and the relieving officer without signature of the other officer.
5. The events are genially not indicated in the charge reports. Besides, the orders on the basis of which transfer of charge is effected are also not quoted.
6. The names of the relieved and the relieving officers are not mentioned in capital letters below the signatures of the officers concerned. From the signatures of the officers it is very difficult to find out to whom the charge report pertains. In quite a large member of cases the designation of the officers concerned is also not mentioned.
7. The hour of the day i.e. Forenoon/Afternoon is invariably required to be mentioned in the charge report. This is, however, not being done is all cases.
8. The charge reports are not prepared in the prescribed proforma.

Since submission of correct charge reports is in the interest of officers concerned, the above points should be kept in view while preparing such reports.

[H.P.Govt., F.D., O.M. No. 1-1/71-Fin (Reg.), dated the 16th August, 1974.]

(2) Charge Reports - Indication of name of Tehsil and District in which the place of posting falls.— It has been brought to the notice that a great difficulty is being experienced in regulating the T.A. and C.A. claims of the officers posted at different stations in Himachal Pradesh. The officers perform journeys from/to various stations but in the T.A. bills full particulars of the stations in which district these are situated, are, however, not indicated with the result that it becomes difficult for the Audit Office to determine the quantum of T.A./D.A. actually admissible to the officers concerned.

Similarly in the charge reports of Gazetted Officers the name of the Tehsil or District is generally not mentioned. As the amount of Compensatory Allowance is to be determined with reference to the place of posting (including Tehsil and District) sometimes it becomes difficult to determine the amount of C.A. in the absence of complete information.

The undersigned is directed to request the Administrative Departments/Heads of Departments to ensure that the complete information is invariably recorded in the T.A. bills and charge reports in future and arrange to send list of the offices situated in each district showing the station/ Tehsil/Pargana pertaining to the Departments under their control directly to the Accountant General, Himachal & Chandigarh, Simla -3 at a very early date.

[H.P. Govt., F.D., O.M.No. 12-40/68-Fin (Reg.), dated the 6th April, 1970]

(3) Transfer of charge of Government vehicles.— On transfer the Controlling Officers will ensure that the vehicle is handed over is his successor with complete equipment and full complements of spare wheels, tyres and tools etc. and have this fact mentioned in his charge report and documents mentioned above (*in the Rules regulating Use and Maintenance of Govt. Vehicles &Conditions of Service of Drivers in H.P.)* shall be signed by the officers making and taking over charge in token of the correctness of relevant entries in these documents on the date of the transfer of the charge.

[Rule 34 of the Rules regulating Use & Maintenance of Govt. Vehicles and Condition, of Service of Drivers in H.P.]

(4) A Drawing officer making over charge of his office to another to send a specimen of relieving Government servant's signature to Treasury Officer/Bank.— See H.P. Treasury Rule 29.

(5) Instructions to be followed where assumption of charge involves responsibility for cash, stores, etc..— See Rules 5.13 and 15.7 of this Compilation.

(6) In the case of any sudden casualty occurring or an emergent necessity arising for a Government servant to quit his charge, the next senior Government servant of the department present to take charge.— See Rule 5.13 (3) of this Compilation.

(7) Every departmental officer bound to take over charge of departmental stores which from the death or departure of the person lately in charge or from any other cause, may be left at or near his station without adequate protection.— See second sub-para of Rule 15.7 of this Compilation.

CHAPTER VII

Pay, Allowances, etc., of Establishment

I—DATE OF BIRTH

[1]**7.1.** Every person newly appointed to a service or a post under Government should at the time at appointment declare the date of his birth by the Christian era with confirmatory evidence as far as possible, confirmatory documentary evidence such as matriculation certificate, municipal birth certificate and so no. If the exact date is not known an approximate date may be given. The actual date or the assumed date determined under note I below should be recorded in the history of service, service book, or any other record that may be kept in respect of the Government servant's service under Government and once recorded, it cannot be altered except in the case of a clerical error, without the previous orders of Government.

Note 1.— (a) If a Government servant is unable to state his exact date of birth but can state the year, or year and month of birth, 1st July or the 16th of the month, respectively, may be treated as the date of his birth.

(b) If a Government servant is only able to state his approximate age, his date of birth may be assumed to be the corresponding date after deducting the number of year representing his age from his date of appointment.

(c) When a Government servant who first entered military employ is subsequently employed in a civil department the date of birth for civil employment should be the date stated by him at the time of attestation, or if at the time of attestation he stated only his age the date of birth should be deducted with reference to that age according to the method indicated in sub-para (b) above

(d) (1) in regard to the date of birth a declaration of age made at the time of or for the purpose of entry into Government service, shall as against the Government servant in question, be deemed to be conclusive unless he applies for correction of his age as recorded within 2 years from the date of his entry into Government service. Government , however, reserves the right to make a correction in the recorded age of the Government servant at any time against the interest of that Government servant when it is

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1. Last sentence of Rule 7.1 & Note 2 thereunder deleted and paras d(1) & d(2) under para (c) of Note 1 of Rule 7.1 inserted by H.P. Govt., F.D., Notification No. Fin. (C)-B(1)-5/85, dated the 10th April, 1985. As per Notification of even No. dated the 27th January, 1988 these amendments have been made "with effect from 1st May, 1971" and "the cases already decided in the past would be deemed to have been decided under the rule as amended".

satisfied that the age recorded in his service book or in the history of services of a gazetted Government servant is incorrect and has been incorrectly recorded with the object that the Government servant may derive some unfair advantage therefrom.

(2) When a Government servant, within the period allowed, makes an application for the correction of his date of birth as recorded, an inquiry shall be made to ascertain his correct age and reference shall be made to all available sources of information such as certified copies of entries in the Municipal birth register, University or School age certificates, JANAMPATRI (horoscope) as the case may be. It should, however, be remembered that it is entirely discretionary on the part of the sanctioning authority to refuse or grant such application on being satisfied and no alteration should be allowed unless it has been satisfactorily proved that the date of birth as originally given by the applicant was a *bona fide* mistake and that he has derived no unfair advantages therefrom. In case the matriculation certificate in available, the date of birth recorded in the certificate will be deemed to be the correct age.

(3) The result of every such inquiry should in the case of Gazetted/ Non-Gazetted Government servants be briefly stated in their service cards/service books and if correction is sanctioned, the fact should be reported to the Accountant General.

H.P. GOVT. ORDERS

(1) Proof of age and educational qualifications.— The appointing authority should ensure that claims regarding educational and other special qualifications and age are scrutinised strictly at the time of appointments. Copies of the certificates regarding educational and professional qualifications and age should be kept in the personal file of the Government servant.

[G.I., M.H.A., O.M. No. 2 29 54-RPS, dated the 19th November, 1954]

(2) Correction in date of birth – Applications submitted within two years from date of entry into service to be examined and decided promptly and those made after two years to be rejected forthwith.— प्रायः देखने में आया है कि पिछले कुछ समय से सरकारी कर्मचारियों में यह प्रवृति पनप रही है कि वह अपने सेवानिवृति के अन्तिम समय में अपनी जन्म तिथियों में बदलाव की मांग करते है और सरकार द्वारा उनके आवेदनों को अस्वीकार करने पर वह न्यायालय में याचिकायें दायर करके उस पर स्टे प्राप्त करने में सफल हो जाते हैं। फलस्वरूप न्यायालय के अन्तिम फैसले तक ऐसे कर्मचारियों को सरकारी सेवा में उनकी वास्तविक सेवा निवृति की तिथि से आगे रखना पडता है। सेवा निवृति की तिथि के निकट न्यायालय में याचिका दायर करना एक सुविचारित कदम होता है क्यांकि यदि ऐसे कर्मचारी को स्टे मिल जाता है तो कुछ समय के लिए तो उसके सेवाकाल में स्वंय में ही बढ़ोतरी हो जाती हे और इसमें ऐसी सम्भावना भी हो सकती है कि जितना अन्तर उनकी जन्म तिथि में बदलने से

नहीं पडना था, उससे उपर भी उसका सेवा काल न्यायालय के अन्तिम निर्णय तक रखना पड सकता है।

जन्म तिथि को बदलने बारे हि0 प्र0 वित्तीय नियम के नियम 7.1 में जो प्रावधान है वह बिल्कुल स्पष्ट है। कोई भी कर्मचारी सरकारी सेवा में आने के समय जो अपनी जन्म तिथि दर्ज करवायेगा जिसकी वह स्वंय पुष्टि अपनी सेवा पंजिका के प्रथम पृष्ठ पर करता है वह अनिर्णित मानी जाएगी। परनतु फिर भी यदि किन्हीं कारण वश वह उसमें बदलाव चाहता है, ऐसा वह सरकारी सेवा में आने के दो वर्ष के अन्दर–अन्दर कर सकता है, जिस पर अन्तिम निर्णय सरकार का होगा। इन परिस्थितियों के अतिरिक्त जन्म तिथि में बदलाव मांगने का सरकारी कर्मचारी को और कोई हक हासिल नहीं हैं। परन्तु फिर भी अनेकों ऐसे मामले सामने आये हैं कि सेवाकाल के अन्तिम समय में कर्मचारी आवेदन देते हैं जिन पर तुरन्त निर्णय कर देना चाहिए।

उपरोक्त स्थिति के दृष्टिगत और नियमों में भी इस बारे में स्पष्ट प्रावधान होने पर यदि कोई कर्मचारी सेवा में आने के दो वर्ष उपरान्त किन्हीं भी कारणों से जन्म तिथि में बदलाव की मांग करे, उसे तुरन्त अस्वीकार किया जावे। हॉं, यदि किसी ने सरकारी सेवा में भर्ती होने के दो वर्ष के अन्दर ऐसा प्रतिवेदन दिया हो उसे प्रस्तुत तथ्यों के आधार पर नियमानुसार जॉचा जाये और निर्णय अविलम्ब लिया जावे।

इस सम्बन्ध में यह भी स्पष्ट किया जाता है कि यदि कोई कर्मचारी न्यायालय में जाकर सेवा–निवृति का स्टे प्राप्त करता है परन्तु अन्तिम निर्णय उसके विरूद्व जाता है तो ऐसे कर्मचारी की पैंशन का निपटारा वास्तविक सेवा–निवृति की तिथि पर प्राप्त वेतन को आधार मानकर ही किया जावेगा, बशर्ते कि न्यायालय के आदेश विपरीत न हों।

अतः समस्त विभगों को यह पुनः सुनिश्चित करने का आग्रह किया जाता है कि वह ऐसे मामलों को कृपया समयवद्व तरीके से अविलम्ब निपटाने का प्रयत्न करें तथा इन आदेशों को अपने अधीनस्थ अधिकारियों के नोटिस में आवश्यक कार्यवाही एंव अनुपालन हेतू लायें।

इस ज्ञापन की पावती इस विभाग को भेजें।

[H.P. Govt., F.D., O.M.No. Fin (C) B (1)-5 85, dated the 10th September, 1991]

(3) Application for change in date of birth must be filed by Government servant within two years from date of entry into service – Judgement of H.P. Administrative Tribunal.— I am directed to say that detailed instructions have been issued by this Department for deciding cases of Government employees regarding change in date of birth *vide* Office Memorandum of even number dated 10/09/1991, a copy of which is enclosed for ready reference *(reproduced above)*.

2. The Hon'ble H.P. Administrative Tribunal has held in its judgement delivered in O.A. No. 341/95, decided on 17/4/1996 that application for charge in date of birth of Government employee must be filed within the period of limitation prescribed in the rules. A copy of the decision of H.P.A.T. in above O.A. is enclosed or information/ guidance.

3. All Departments are once again requested to ensure that cases relating to change in date of birth are examined/ decided in the light of the provisions contained in H.P.F.R., instructions of Finance Department mentioned above and the decision of Hon'ble H.P. Admn. Tribunal in O.A. 341/95.

4. This may please be brought to the notice all concerned under your control. Kindly acknowledge receipt.

[H.P. Govt., F.D., letter No. Fin (C) B (I) -5/85, dated the 18th May, 1996].

Judgement dated 17-4-1996 by Sh. S.M.Kanwar, Member (Admn.) H.P. Administrative Tribunal in O. A. 341/95

The petitioner joined the Government service on April 10, 1970 as Junior Auditor. His date of birth recorded at the time of joining service and based on his matriculation certificate is September, 17, 1948. The petitioner claims that his actual date of birth is September 20, 1949 as shown by his horoscope and Panchayat certificate.

2. The applicant applied for change of date of birth on June 1, 1994 to the Government which was rejected by the Government on July 5, 1994.

3. I have heard the counsel for the parties. It is an admitted fact that he has applied for change of date of birth after being in service for 24 years. The procedure for recording the date of birth for an employee and change is given in para 7.1 of Himachal Pradesh Financial Rules, Volume I which reads as under:–

> "7.1. Every person newly appointed to a service or post under Government should at the time of appointment declare the date of his birth by the Christian era with confirmatory evidence as far as possible, confirmatory documentary evidence such as matriculation certificate, municipal birth certificate and so on. If the exact date is not known an approximate date may be given. The actual date or the assumed date determined under note I below should be recorded in the history of service, service book, or any other record that may be kept in respect of the Government servant's service under Government and once recorded, it cannot be altered except in the case of a clerical error, without the previous orders of Government.
>
> Note 1 (d) (1).— In regard to the date of birth a declaration of age made at the time of or for the purpose of entry into Govt. service, shall as against the Govt. servant in question, be deemed to be conclusive unless he applies for correction of his age as recorded within 2 years from the date of his entry into Govt. service. Government, however, reserves the right to make a correction in the recorded age of the Government servant at any time against the interest of that Government servant when it is satisfied that the age recorded in his service book or in the history of service of a gzetted Government servant is incorrect and has been incorrectly recorded with the object that the Government servant may derive some unfair advantage therefrom.

(2) When a Govt. servant, within the period allowed, makes an application for the correction of his dare of birth as recorded, an inquiry shall be made to ascertain his correct age and reference shall be made to all available sources of information such as certified copies of entries in the Municipal birth register, University or School age certificates, JANAMPATRI (Horoscope) as the case may be. It should however, be remembered that it is entirely discretionary on the part of the sanctioning authority to refuse or grant such application on being satisfied and no alteration should be allowed unless it had been satisfactorily proved that the date of birth as originally given by the applicant was a *bona fide* mistake and that he has derived no unfair advantages therefrom. In case the matriculation certificate is available, the date of birth recorded in the certificate will be deemed to be the correct age".

4. The petitioner based his claim mainly on the ground that he came across Rajpatra dated December 25, 1993 on March 3, 1994 by which learnt that the date of birth can be changed even much later after joining the service and hence he applied for a change. Consequently there is no much delay on his part.

5. The petitioner has cited Shri Manak Chand Vaidya *versus* State of Himachal Pradesh and others 1976 (1) S.L.R. 402 in support of his arguments in which the Hon'ble High Court of Hiachal Pardesh has held that the right to get erroneous entry as to date of birth corrected cannot be curtailed by executive instructions. He has also cited Prem Lal *versus* State of Himachal Pradesh and others 1994 (1) S.L.J. 299 which is a decision of this Tribunal.

6. The respondents have refuted the claim on the ground that he should have applied for correction of date within two years of joining the service as required by Rule 7.1 Note (d). Further the respondents claimed that the date of birth recorded in the matriculation certificate will be deemed to be the correct age as per Rule 7.1(2). The respondents have also quoted Secretary & Commissioner, Home Department and others *versus* R. Kirubakaran A.I.R. 1993 S.C. 2647, Burn Standard Co. Ltd. and others *versus* Dinabandhu Majumdar and another (1995) 4 S.C.C. 172.

7. It is undisputed that the petitioner's date of birth recorded in the matriculation certificate is the age recorded in the service record. It is also true that he has not applied within two years for change of date of birth but has applied after 24 years after joining the service. Admittedly the petitioner is not an illiterate person who had no knowledge of his date of birth recorded in the matriculation certificate or service record.

8. The case of 1976 (1) S.L.R. 402 pertaining to Manak Chand Vaidya *versus* State of Himachal Pradesh and others cited by the petitioner has been subsequently over-ruled by many decisions of the Supreme Court and this Tribunal. In all the cases cited by the respondents above as well as in case of Prem Lal *versus* State of H.P. & Ors decided by the Tribunal in 1994 (cited by the petitioner), the apex court and this Tribunal has held that the application for change of date of birth must be filed within a period of limitation prescribed in the rules.

9. In view of the facts the petitioner has filed the application after 24 years and the date of birth as recorded in the service book is the same as recorded in his matriculation certificate, this court finds no merit in the contention of the applicant which is accordingly dismissed.

No order as to costs.

* * *

(3-A) Petitions relating to personnel matters filed in courts, Administrative Tribunals etc.—Handling of.— The undersigned is directed to say that while the Department of Personnel is nodal department responsible for formulating policies and framing rules relating to premature retirement, seniority, promotion, disciplinary proceedings, reservation for Scheduled Castes, Scheduled Tribes, ex-servicemen etc. and other aspects of personnel administration, the administrative departments are responsible for considering individual cases of Government servants and issuing appropriate orders thereon in accordance with the rules and instructions on the subject and in consultation with the Department of Personnel, if considered necessary.

2. A number of petitions are filed by the Government servants in the H.P. Administrative Tribunal challenging the orders issued by the administrative departments in individual cases in which the relevant rules and instructions on the basis of which the impugned orders have been issued are also challenged, In most of these cases the Department of Personnel is also impleaded as one of the respondents for the reasons that the relevant rules and instructions were issued by the Department of Personnel or that the impugned orders were issued in consultation with this Department.

The existing practice is that in all such cases the petitions are contested by the administrative departments concerned both on its behalf as also on behalf of the Department of Personnel, if necessary, in consultation with the latter. However, in some cases the administrative departments insisted on the Department of Personnel for defending the Government action on the ground that the rules/ instructions challenged in the petitions were issued by this Department. This is not the correct procedure to follow. Since each case is to be contested on the basis of the specific facts and circumstances relevant to it, the administrative department will be in a better position to defend the case. If, however, any clarification is required on the interpretation or application of the rules or instructions relevant to the case, the concerned department may consult the Finance Department in matters relating to the svljeets assigned to Finance Department including pension and other retirement benefits and in respect of other matters relating to seniority, promotion etc. the Department of Personnel be consulted. Such consultation can include vetting of the relevant paras of the draft replies and such references will be handled with utmost priority in the Departments of Finance and Personnel, However, the primary responsibility for contesting such cases on behalf of the Government will be that of administrative departments concerned.

[H.P. Govt., Personnel Deptt., O.M. No. Per (AP-II) E (3) 2/83, dated the 28th April, 1989]

II—ALTERATION OF ESTABLISHMENT

7.2. When the entertainment of new establishment or a change, temporary or permanent, is proposed in an office, a litter fully explaining the proposals and the conditions which have given rise to them together with the proposition statement, if necessary, under rule 7.3 should be submitted to the competent authority. In this letter should be set out *inter alia* —

(i) the present cost, either of the section or sections affected or of the total establishment as the circumstances of the case may indicate to be necessary;

(ii) details of the pay of the post or posts and the number of posts which it is proposed to add or modify; and

(iii) as accurate an estimate as possible of the extra cost involved.

Note 1.—In determining the extra cost, allowance, whether fixed or variable, should be included.

Note 2.—The authorities submitting the proposals should take into account any claims to pensions that may parise in consequence of their proposals with reference to Article 429 of the Civil Service Regulations and certify to their having done so in their proposals. The estimate of the extra cost due to variable allowances, cannot be exact butt should be as accurate as possible.

Explanation (a).— When a scheme requires the sanction of higher authority only because particular items are beyond the power of sanction of the subordinate authority, in the letter submitted to the higher authority full detail should be given of these items and of any other part of the scheme so connected with them that, unless, it is explained, it must be difficult for the higher authority to determine whether sanction should be giver to these items or not. Details of other parts of the scheme are not required and should not be given, lump sum figures showing the total cost of each part of the scheme being sufficient.

Explanation (b).— When the revision of a number of establishments is undertaken in pursuance of one definite central idea, which constitutes a single scheme for purposes of sanction, and when the scheme requires the sanction of higher authority, in the letter submitting the proposal for sanction full details of the several establishments need not be given, but only such details as will indicate the financial effect of each portion of the proposals.

Thus, if the scheme is for the increase of pay of a number of establishments it will suffice to set out —

(i) The present cost of all establishments concerned.

(ii) The various increases of pay or the various percentages of increases proposed and the reasons justifying the proposals.

(iii) In respect of each separate rate of increase proposed as set our in (ii)--

(a) A list of the establishments or classes of Government servant to which it is to be applied and the reasons for such differentiation.

(b) As accurate an estimate as possible of the probable cost, with a statement that this has been worded out in consultation with the Accountant General and that it is accepted by him as correct.

7.3. (a) Whenever any large scale or complicated proposals are made for the revision of the existing or the creation of new establishments (including those which require the sanctions of Government), the letter explaining the proposals should be accompanied by a proposition statement in duplicate in H.P.F.R., From 6.

Note :— The simpler H.P.F.R. Form 7 may be used in cases when the full details of H.P.F.R. Form 6 are not necessary.

(b) The details to be shown in proposition statement will be determined by the following principles:--

(i) The proposition statement should relate strictly to the section or part of the office affected by the proposals. As regards the other parts or sections of the office, neither details nor figures of total cost need be included.

(ii) Where a section consists of both class IV and superior servants, details need be given only of the class affected, if a saving of labour will result from the adoption of this procedure.

(iii) The rules as to details set out in rule 7.2 above should be observed.

Note 1.—The fixed allowances referred to in note to rule 7.2 above should be entered in proposition statements when such statements are prepared but the variable allowances should be included therein.

Note 2.—Sweepers, Bhisties and other class IV employees whose pay is drawn on contingent bill need not be included in the proposition statement.

Note 3.—Proposition statements are required for all temporary changes in establishment except (1) in those cases where pay is passed against a budget grant, (2) in the case of temporary establishment for work which is quite outside the ordinary routine of administration, e. g., census, plague, and special duty of any kind.

Note 4.—When it is proposed to change all or part of a temporary establishment into a permanent establishment the "present scale" column in the proposition statement, must show both the temporary and the permanent establishment; thus the increase in the permanent scale will be balanced by the temporary scale decreased.

7.4. Where the pay of any post existing or proposed rises from a minimum to a maximum by periodical increments, the average monthly cost and not the actual or the commencing cost, must be given. The average monthly cost in such cases should be calculated in accordance with the following formulae :—

Explanations.—(1) Formula (1) is to be used in the case of gazetted posts, while formula (2) in the case of non-gezetted posts. In cases where one grade is the channel of promotion to another grade, that is to say, where everybody in the first grade is ultimately promoted to the second grade, formula (3) may be adopted to find the average costs of posts in the first grade. The use of formula (4) should be restricted to cases involving an elaborate scale, consisting of two or more sections with efficiency bars at one or more stages.

(2) To find the average cost of a post in the junior scale of an All India Service formula (3) should be used.

FORMULAE FOR CALCULATING AVERAGE COST OF TIME SCALE OF PAY

Formula (1)

$$\text{Average pay} = \frac{A+B}{2} + \frac{B-A}{2}\left[1-(R+1)\left\{.014+\frac{1-.01R}{F-E}\right\}\right]$$

Formula (2)

$$\text{Average pay} = \frac{A+B}{2} + \frac{B-A}{2}\left[1-(R+1)\left\{.021+\frac{1-.015R}{F-E}\right\}\right]$$

In the formulae (1) and (2) —

A = minimum pay,

B = maximum pay,

R = period of rise,

E = average age at entry in the grade, and

F = average age at retirement on superannuation pension.

This may be taken to be 55 in almost every case unless there are special reasons to take it either at the lower or a higher figure.

Formula (3)

$$\text{Average pay} = \frac{A—C}{2} - \frac{(C—A)}{2}\left[1-(S+!)\left\{.006 + \frac{1-.0045}{G—E}\right\}\right]$$

In formula (3)—

A = minimum pay,

C = pay just before promotion to the second grade,

S = period of rise from A to C,

E = average age at entry in the first grade, and

G = average age at the time of promotion to the second grade.

Formula (4)

$$\text{Average pay} = ½\,(A+W_1B_1+W_2B_2+X_1C_1+X_2C_2)$$

Where A = the initial pay of the scale,

$B_1\ B_2$ = the maximum pay of the different sections of the scale, such as the ordinary scale, the scale for passed clerks,

$W_1\ W_2$ = the proportion of the establishment which would normally reach the maximum of $B_1\ B_2$ respectively,

$C_1\ C_2$ = the pay at the different efficiency bars, and

$X_1\ X_2$ = the proportion of the establishment which would normally be detained at $C_1\ C_2$ respectively,

Note .— Where the pay is not incremental, it is sufficient, to enter it in the column headed "Maximum".

7.5. The proposition statement or the proposal for revision should be forwarded direct to Government to avoid any delay. If the Administrative Department feel that the proposition statement forwarded by the head of

Department, in any particular case, requires verification of the cost involved, tnat department may at their discretion refer the statement to the Accountant General, Himachal Pradesh, for verification. Where, however, the Administrative Department feel convinced that the figures furnished by the head of department are correct, the verification of the figures may by the Accountant General, Himachal Pradesh be dispensed with.

7.6. The statement prescribed in paragraph 10.15 of the Himachal Pradesh Budget Manual should also be submitted when necessary.

7.7. In cases where a revised proposition statement is sent before Government has accorded sanction to a proposition statement still under its consideration, the existing scale should be entered in the revised proposition statement with a note that an application for its revision involving an annual expenditure of Rs............ is already before Government.

III—MONTHLY PAY BILL

(I) Preparation of Bills

7.8. Instructions regarding the preparation and payment of establishment and travelling allowance bills are contained in the Subsidiary Treasury Rules which should be carefully observed by all the drawing officers.

Drawing officers are responsible for seeing that pay bills are checked and initialled by a responsible Government servant and that the check must always include verification of the total amount entered in the bills. Failure to observe these precautions as well as those regarding disbursement of moneys, drawn (mentioned in the succeeding rules) will render them liable for making good any loss that may occur thereby.

Note1.—When Government servant signs an absentee statement accompanying an establishment bill, he should see that a diagonal line is drawn across the blank space, if any, below the last entry. Similarly, if the statement is blank he should see that a diagonal line is drawn across it with the word "blank" in brackets in the middle of the line.

Note 2.—See also rule 7.12 *infra*.

Note 3.—Recoveries made from non-gazetted Government servants on account of attachment orders issued by courts of law (*vide* rule 5.9) should not be made from the bills but should be made in cash and then remitted to the court concerned. The receipts of the court should be obtained and filed with the attachment register. For recoveries on account of security deposits *see* Subsidiary Treasury Rules.

H.P. GOVT. ORDERS

(1) Pay and allowance of gazetted officers to be drawn in non-gazetted bill forms – A single pay bill to be prepared in two parts (permanent and temporary) for each category of gazetted posts.— See para 5 of Order (1) below Rule 6.1 of this Compilation.

(2) Pay bills of non-gazetted establishment – A single pay bill to be prepared in three parts.— See Decision below Rule 4.31 of H.P. Subsidiary Treasury Rules.

(3) Names in pay bill/in each section of pay bill to be arranged in ascending order of Provident Fund account numbers to facilitate preparation of Provident Fund Schedules in the same order of account numbers.— See Decision below Rule 4.31 of H.P. Subsidiary Treasury Rules.

(4) Maintenance of Salary Register in lieu of office copies of pay bills.— See Decision below Rule 4.31 of H.P. Subsidiary Treasury Rules.

(II) Disbursement of Moneys Drawn on Monthly Bills

7.9. (i) The head of an office is personally responsible of every pay drawn on a bill signed by him or on his behalf until he has paid it to the person entitled to receive it and obtained his receipt, duly stamped where necessary, on the office copy of the pay bill. If, in any case, owing to the large size of an establishment or because certain of its men are working in our-stations, it is not found feasible or convenient to obtain the receipts of payees on the office copy of the bill, the head of the office concerned may, at his discretion, maintain separate acquittance rolls in H.P.F.R. Form 8 for each set of payments made at one place or at one time. If the payee does not present himself before the end of the month, the amount drawn for him should ordinarily be refunded by short drawal in the next bill, it being drawn anew when he presents himself to receive it; in cases, however, where this restriction will operate inconveniently, the amount of undisbursed pay may, at the option of the disbursing officer be retained for period not exceeding three months, provided proper arrangements can be made for the safe custody of the sums retained. Pay must not, under any circumstances, be placed in deposit. So long as the drawing officer finds himself in a position to keep a proper watch over undisbursed amounts, by a periodical examination of acquittance rolls and office copies of bills, it is not necessary for him to keep a detailed account showing the amounts drawn from the treasury from time to time and their subsequent disposal. There is no objection, however, to such an account being maintained in a subsidiary register if found convenient.

(ii) Acquittance rolls and receipted office copies of bills are not required to be submitted to the Accountant General but as they are important records they should be stamped 'paid' and preserved carefully for the periods specified in Appendix 6.

In respect of payments made through acuittance rolls on the pay day, the disbursement certificate at the foot thereof should invariably be signed by the disbursing officer in token of the total amount actually paid. The 'paid' stamp, duly attested by the drawing officer need be affixed only against the total disbursed amount of the acquittance roll. In respect of undisbursed amounts paid subsequently the items should be stamped "paid" individually and attested by the drawing officer while signing the cash book.

(iii) Cash drawn on pay and travelling allowance bills of establishment should not be mixed with regular cash balance of the department, if any. An account of undisbursed pay and allowances should be kept in a register in H.P.F.R. Form 9. Entries of the total and particular amounts of undisbursed pay and allowances may be made against each bill serially, and subsequent payments thereof entered in the appropriate columns of the register and the cash book, each such entry being attested by the gazetted officer. From this register, an abstract of amounts remaining undisbursed for three months should be prepared to ensure their refund, either in cash or by short drawal from the next bill.

Note 1.—This rule applies also to cash received by a subordinate Government servant for payment of pay and allowances of Government servant serving under him.

Note 2.—The orders contained in sub-rule (2) under Rule 6.1 are *mutatis mutandis* applicable to the disbursement of pay and allowances of a non-gazetted Government servant.

7.10. (i) When a drawing officers checks an acquittance roll, where one is prepared, he should either himself total up the items of it, check the total against the total of the corresponding establishment bill and the money received from the treasury and see that any difference between the total is properly accounted for; or cause all this to be done by a gazetted Government servant or where no gazetted Government servant is available, by the Superintendent or the Head Clerk of the office.

(ii) Wherever practicable, it should be arranged that disbursements on account of establishment bills are not made by the Clerk who prepared them, and the maintenance of separate acquittance rolls is dispensed with as far as possible.

7.11. Heads of offices are responsible for seeing that signatures on office copies of the pay bills or acquittance rolls, as the case may be, are taken by the official making the payment at the time of payment and not by the Bill Clerk previous to payment; and that in the case of offices in which Government servants are present on the spot, payments are ordinarily made to them in person and not to a third person on the authority of the payees

H.P.GOVT. ORDER

(i) Maintenance of Register of payments of gazetted officer's entitlements.— The cash received from the Treasury in respect of the pay and allowances etc. of the gazetted officers will be entered by the Disbursing Officer in a register entitled "Register of payments of gazetted officer's entitlements" having the following columns :--

(1) Date; (2) Name of the officer ;
(3) No. of the cheque; (4) Amount ;
(5) Bill No. and date against which amount received ; and
(6) Acknowledgement.

The Disbursing Officer shall arrange to obtain stamped acquittance, wherever necessary, of the officer on the above Register in column 6 or alternatively, it may be taken separately before payment and kept in custody a suitable note to that effect being recorded in the Register.

[Para 9 of H.P. Govt., F.D.., O.M.No. Fin (C)-A (3)-5/76,dated the 30th October, 1976, complete text of which has been reproduced as Order (1) below Rule 6.1 in the Compilation]

7.12. The head of an office is not at liberty to re-adjust the pay of Government servants by giving one Government servant more and another less than the sanctioned pay of his post; nor may he distribute the pay of an absentee otherwise than as provided in the rules governing the service to which the Government servant belongs. But in the case of non-gazetted establishments divided into separate units or cadres carrying different scales of pay, there is no objection to excess appointments being made in a lower unit or cadre against an equal or greater number of vacancies left unfilled in the higher grade. This liberty must, however, not be used for the purpose of increasing the numerical strength of an office. For each vacancy in a higher unit or cadre only one extra post in a lower unit or cadre is admissible.

Note.—This rule is applicable to gazetted officers also— *see* rule 6.2.

7.13. A non-gazetted Government servant on leave in India must make his own arrangements for getting his leave allowances remitted to him.

Charges for remittances of pay and allowances of establishment by postal money order when so permitted by competent authority under rule 8.3 may, however, be paid from State Revenues and debited to Contingencies.

[1]Note 1.—This rule applies also to remittances of contingent charges, rewards, etc., payable to non-gazetted Government servants.

[1]Note2.— When a class IV Government employee proceeds on leave for a period exceeding one month, the net leave salary due to him shall, on his express request, be remitted to him by the Disbursing Officer by postal money order at Government expense.

IV - RECORD OF SERVICE

(1) Service Books

7.14. Special attention is drawn to the rules regarding the maintenance of service books, which are given in Chapter 12 of the Himachal Pradesh Civil Services Rules, Volume I, Part I. The service book is a contemporary record in minute detail of a person's oficial career. Non-pensionable service should be distinctly shown as such in column 2 of the service book, and every entry should be attested at the time by the head of the office.

Note.— It is the duty of all heads of offices to see that the service books of the establishments employed under them are punctually and regularly written up, that the entries made on the opening pages are re-attested at least every five years, and that no member of the office has access to the books.

7.15. (1) At a fixed time early in the year, the service books should be taken up for verification by the head of the office who, after satisfying himself that the services of the Government servant concerned are correctly recorded in each service book, should record in it a certificate in the following form over his signature:-

"Service verified up to,.................(date) from (the record from which the verification is made)."

Note.— The verification of service referred to above should be in respect of all service qualifying for pension whether permanent, provisional, temporary or officiating.

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[1] Note under Rule 7.13 re-numbered as Note 1 and Note 2 added vide H.P. Govt., F.D. Notification No. Fin (C)-A(3)-7/76, dated the 21 st May, 1976

(2) (a) The head of the office in recording the annual certificate of verification should, in the case of any portion of service that cannot be verified from office records, distinctly state that for the excepted periods (naming them) a statement in writing by the Government servant, as well as a record of the evidence of his contemporaries, is attached to the book.

When, however, a non-gazetted Government servant is transferred from one office to another the head of the office under whom he was originally employed. should record in the service book under his signature the result of the verification of service, with reference to pay bills and acquittance rolls, in respect of the whole period during which the Government servant was employed under him, before forwarding the service book to the office where the services are transferred.

(b) In cases where such transfer also involves permanent transfer of the Government servant from the audit control of one audit officer to that of another, the qualifying service for the purpose of pension rendered up to the date of the transfer should be got verified and a certificate to that effect recorded in the service book by the audit officer concerned before the service book is forwarded to the office where the services of the Government servant are transferred.

(c) When a non-gazetted Government servant is officiating in a gazetted post, his service book should be kept by the head of the office to which such a Government servant permanently belongs. Entries about change in pay. etc., which would have accrued to him had he continued to hold his permanent post, should continue to be made in his service book by that head of office regularly. An entry about the date of his transfer to the gazetted post should be made in red ink at an appropriate place across the relevant page of the service book. Similar entry should be made about his reversion from the gazetted post when it takes place. A full record of the service in the gazetted post (s) should be kept and its verification done by the Accountant General. When such a Government servant is confirmed in a gazetted post, his service book should be transferred for custody to the office of the Accountant General after making an entry about such confirmation.

The head of the office concerned should ensure that all the entries, i.e., entries of verification of service, changes in pay, etc., are made up-to-date, before the service book is transferred to the office of the Accountant General concerned. The Accountant General concerned should also ensure that the service book is complete in all respects before it is restored to the proper place. If there are any deficiencies in the service book, the defects should be got rectified from the head of the office concerned promptly before the restoration to the service book to its proper place.

(d) The following procedure shall be followed for making entries in the service books of civilian Government servants who were permitted to take up military service during the emergency declared in 1962 —

(i) Entries regarding pay and allowances drawn in military service.

In respect of cases where Government servants are entitled to civil rates of pay and allowance during military service, the increment including crossing of Efficiency Bar in the scale of pay will continue to be granted by the military authorities, the Efficiency Bar being subject to the specific sanction of the competent authority unless any punishment having the effect of stopping of increments or pay and allowance is reported by the military authorities. The entry should accordingly be made by the civil authorities at the appropriate time indicating that sanction to the crossing of Efficiency Bar has been given, where such Efficiency Bar is involved. As regards cases where Government servants are allowed military rates of pay and allowances, the entries should be made by the civil authorities after obtaining necessary information from the military authorities.

(ii) Entries regarding leave avalied of during military service.

As temporary and quasi-permanent Government servants are fully governed by the military leave rules during the period of military service and do not earn any leave under the civil leave rules during such service, there is no question of making any entry in their civil leave account/service book. On the other hand, permanent Government servants earn leave under the civil leave rules during military service and are allowed to carry forward the unavailed of leave on their reversion to civil departments. In their cases, the entries in their civil leave accounts, and service books should be made by the civil authorities after their reversion to their civil appointments.

(iii) Recording of the certification of verification of service in the service books.

As the record of service of officers permitted to take up military service during the present emergency are required to be kept by the military authorities, in one form or the other and also their pay and allowances were to be disbursed by them, there is no need of recording certificates of verification of service in the service books by the civil authorities concerned in respect of the period of military service. The necessary verification for this period is to be done by the military authorities.

On reversion of such officers to the civil appointments, a suitable note of this verification having been done by the military authorities should, however, be recorded by the civil authorities in the service book of the officer on the basis of the facts supplied by the military authorities.

(iv) The procedure indicated in paragraphs (i) to (iii) above will apply *mutatis mutandis* to the civil Government servants who are members of the Territorial Army/Auxiliary Air Force/Defence Reserves and are embodied or called up for military service in an emergency.

(e) The following procedure shall be followed in regard to the maintenance of service books so as to eliminate any delay in the sanctioning and payment of pension:–

(i) It shall be the responsibility of the officers maintaining the service book to make annual verification and also to complete and certify the service books in respect of previous service in the 20th year of service or 5 years before the retirement whichever is earlier.

(ii) The orders of the competent authority, where required on the nature of service, as for example, periods of leave, breaks in service etc. should be obtained and recorded in the service book. The entries made in the service book should be shown to the Government servant and his signature obtained in the book.

(iii) The orders of the competent authority regarding the counting or otherwise of periods of extraordinary leave or periods preceding breaks in service as qualifying service for pension should be obtained invariably at the same time as the occasion arises and not later. Such orders should be noted in the service book. Unless otherwise shown in the service book, it will be presumed that the orders of competent authority have been obtained, and the periods of extraordinary leave and periods preceding break in service will count for pension.

(iv) Any omission or lapse on the part of the administrative authority concerned to observe the procedure in paragraphs (ii) and (iii) above is likely to result in overpayments such as those consequent on period of extraordinary leave being allowed to count for pension and breaks getting automatically condoned. Suitable disciplinary action will be taken in cases where loss has been caused to the State as a result of lapse on the part of the concerned authorities.

(3) In the case of a Government servant who is relieved on transfer to another office in the middle of a month and his pay and allowances are drawn in the former office to the end of the previous month, the verification of service should be done only in respect of that period for which the Government servant was paid in the "office in which he was originally employed" and the verification of service for the remaining period should be done in the office to which the Government servant is transferred.

(4) A certified copy of a service book may be supplied on payment of copying fee of Rs. 5 to a Government servant who asks for it on quitting Government service by retirement, discharge or resignation.

(II) Service Rolls

7.16. Rule 7.15 regarding the verification of service and recording of certificate by the head of the office applies also to the service rolls kept under the Himachal Pradesh Civil Services Rules, Vol. I, Part I.

H.P.GOVT. ORDERS

(1) Cost of service Book to be borne by Government and Service Book not to be returned to Government servant on his quitting service.— The cost of Service Book should be borne by the Government and it should not be returned to the Government servant on retirement, resignation or discharge from service even in cases where he might have paid for it already.

[G.I., M.F., O.M. No. F. 12(6) - E. IV/54, dated the 31st January 1955]

(2) Revision of form of Service Book.— (a) The undersigned is directed to state that the question of the revision of the existing form of the Service Book has been under consideration of the Government and it has been since decided to revise the form as per the specimen enclosed *(not reproduced)*. The revised form will be applicable only to new entrants in Government service. In the case of existing Government servants, the new Service Book may be used when the existing stock is exhausted and in that case, the existing entries need not be re-written in the new form.

[H.P. Govt., F.D., O.M. No. Fin (C) -A (3) -31/75, dated the 10th May, 1976]

(b) In continuation of the Department's O.M. of even No., dated the 10th May 1976 forwarding therewith a copy of revised form of Service Book and also dated 28th August, 1976 (*Not reproduced*), the undersigned is directed to say that the Governor, H.P. is pleased to order that revised form shall also be used in the Police and other similar Departments with an "Appendix" for recording postings in the enclosed form *(Not reproduced)* in terms of contents of the Office Memo, referred to above. The Home Department are accordingly requested to take further necessary action at their end.

[H.P.Govt., F.D., O.M. No Fin(C)- A(3) - 31/75, dated the 16th April, 1977]

(2-A) Revised form of service book—Government to bear cost of photograph.— The undersigned is directed to say that as per this Department's O.M. No. Fin. (C) -A(3) 31/75, dated 10th May 1976 followed by one dated 16th April,1977, a photograph of the Government employee has to be affixed on the first page of Part I of the revised Service Book. A question has been raised whether the cost of the photograph has to be borne by the Government employee or by the Government. This matter has been considered and the Governor is pleased to decide that the cost of the photograph shall be borne by the Government in future.

These orders will take effect from the date of issue of this office memo.

[H.P. Govt., F.D., O.M.No.Fin (C) -A(3)-13/77, dated the 16th August, 1977]

(3) Further revision of form of Service Book.— लेखा नियन्ता एवं महालेखाकार लेखा परीक्षा, भारत सरकार के सुझाव तथा हिमाचल प्रदेश वित्त विभाग के द्वारा अनुमोदन के फलस्वरूप संशोधित सेवा पुस्तिकाए नियत्रक, मुद्रण तथा लेखन सामाग्री, हिमाचल प्रदेश सरकार मुद्रणालय, शिमला से मुद्रित करवाई गई है जिससे की हिमाचल प्रदेश सरकार के सभी कार्यालय में भविष्य में आवश्यक्तानुसार प्रयोग किया जाएगा । इन संशोधित सेवा पुस्तिकाओं के प्रयोग के लिए वरिष्ठ उपमहालेखाकार (लेखा व. ह0) शिमला ने भी अपनी स्वीकृति पत्र स0 न0 पैन्शन–1/समिति रिपोर्ट/85–86/6717, दिनांक 8- 3-1990 द्वारा दे दी है।

2. अतः आप से अनुरोध है कि अपने अधीनस्थ सभी कार्यालय को यह निर्देश दें कि भविष्य में अपरोक्त सेवा पुस्तिकों का ही प्रयोग करें तथा यह भी सुनिश्चित करवाएं कि इन सेवा पुस्तिकाओं का प्रयोग एवं अनुरक्षण उचित तरीके से किया जाए। संशोधित सेता पुस्तिकाएं, नियंत्रक, मुद्रण तथा लेखन सामाग्रि, हिमाचल प्रदेश सरकार मुद्राणलय, शिमला –5 के कार्यालय में उपलब्ध है।

[H.P. Govt., Personnel Deptt., letter No. Per (AP-1 (8)-3/88, dated the 10th April, 1990]

(4) Heads of Offices may delegate to subordinate Gazetted officers powers to attest entries in Service Books.— Under the provision of Supplementary Rule 199 every step in a Govt. servant's official life has to be recorded in the service book, each entry being attested by the Head of Office or if he himself is the Head of Office by his immediate superior. The Head of Office has to ensure that all entries are duly made and attested and that the book contains no earsor or over writing, all corrections being neatly made and properly attested. With the transfer of work regarding entitlement of Pay and Allowances etc. of Gazetted Govt. servants from the Audit & Account Office to the respective Heads of Departments with effect from 1.4.1977, the service book and leave accounts of the Gazetted Officers have to be maintained by the Heads of Offices in the same form as prescribed for non-gazetted Govt. servants, with the result that the entries in the service record of both Gazetted and non-Gazetted Govt. servants have to attested by the Head of Office. The Governor, H.P. in relaxation of the provision of Supplementary Rule 199, is pleased to permit the Heads of Offices to delegate to subordinate Gazetted Officers under them powers to attest entries in service book of all Govt. servants both gazetted and non-gazetted (except their own service book) for the maintenance of which the Heads of Offices are responsible.

2. The subordinate Gazetted Officers who are delegated powers to attest entries in the service books of Gazetted Officers are also authorised :--

(i) to keep these documents in their custody ; and

(ii) to attest entries in the leave accounts:

provided that the Head of the Office concerned remains responsible for the proper maintenance of and attestation of entries in service books and leave accounts and for their custody. The Head of the Office should scrutinise at least 10 percent of these documents every year and initial the same in token of having done so.

[H.P. Govt., F.D., O.M. No. Fin(C) A (3) - 6 80, dated the 19th July, 1982]

(5) Maintenance of service books of Gazetted Government servants.— Consequent upon the introduction of the revised procedure for the drawal and disbursement of personal claims of gazetted Government servants, their servant books were to be maintained by the Heads of Offices/Departments/Administrative Department in terms of the instruction contained in para 13 of this Department letter No. Fin.(c) A(3)-5-76, dated the 30th October 1976 *[Order(1) below Rule 6.1]*, but it has been pointed out by the Audit and Accounts Office that the requisite service books of the gazetted Government servants are not being maintained in most of the cases as have come to the notice. As the failure to maintains service books in proper manner is likely to lead to complications in regulation of their pay besides other difficulties in proper audit of entitlement of pension etc., it is emphasised that proper attention may be paid to this important job of maintaining the service books of the Gazetted Government servants in proper manner. Necessary instructions may, therefore, be issued in this behalf to all concerned and compliance ensured.

[H.P. Govt., F.D., O.M. No. Fin. (C) A (3)15 77, dated the 26th November, 1977]

(5-A) Need for proper maintenance and timely/regular completion of service books to eliminate delay in payment of pensionary benefits.— I am directed to say that under Government of India decision No.2 below S. R. 202 *[Decision not reproduced as its provisions already stand incorporated as Rule 7.15 (2) (e) in this Compilation]*, there is a need for proper maintenance of Service Book/ record to eliminate delay in payment of pension/ pensionary benefits.

Now, it has come to the notice of the Government that the Service Book/Card of the Government employees are not being maintained properly and usually it is found incomplete with the result that the pension papers of the employees are not completed well before their retirement. They are put to face difficulty as they do not get their pensionary benefits and pension well in time

In view of the above, the Government has taken a serious view of such a lapse by various Departments and has desired that the Service Book/Card of all Government employees should be completed within a period of three months from the date of issue of this communication. A certificate to the effect that service record of all Govt. employees under your control is completed be sent to this Department.

[H.P. Govt., Personnel Deptt., letter No Per (AP-11) B (18) - 1/97, dated the 1st August, 1997]

(6) Discontinuance of practice of recovery of leave and pension contribution in respect of employees who are sent to public sector undertakings/autonomous bodies/ co-operative institutions on deputation - Verification of foreign service by A.G., H.P. not necessary in such cases.— As the Administrative Departments etc. are aware the Government *vide* Finance Department's O.M. of even number dated the 21st January, 1980 discontinued and practice of recovery of leave and pension contribution in respect of Government servants who are sent to public sector undertakings/autonomous bodies/ co-operative institutions etc. on deputation w.e.f. 21st January, 1980. However, in respect of those Government servants who seek employment under these institutions/bodies etc. as a direct recruit, contribution towards leave and pension was continued to be recovered and the responsibility to bear their contribution is that of the Government servant himself or that of the institution/body concerned about which a condition is required to be incorporated in the terms and conditions of appointment of the Government servant by the Head of Office concerned.

On a reference made by the Department of Personnel, the matter regarding verification of foreign service of Government servants who are sent on deputation to public sector undertakings/autonomies bodies/co-operative institutions etc. by the Accountant General, was under consideration of the Government for sometime past. After careful consideration, the Governor, Himachal Pradesh in pleased to order that verification of foreign service by the Accountant General is not necessary in respect of those Government servants in whose cases leave and pension contributions are not recoverable from the Foreign Employer as it poses unnecessary delay and problems at a later stage when such officers/officials retire from service.

The Governor, Himachal Pradesh is further pleased to order that where no leave and pension contributions are recoverable from the Foreign Employer in respect of Government servants sent on deputation to public sector undertakings/autonomous bodies/co-operative institutions etc., the maintenance and upkeep of their service records including service book/leave account/ pay entries/suspension/re-instatement/penalties etc. shall be the responsibilty of the Department concerned from where such an officer/official proceeds on deputation. Therefore, sanctions issued by the foreign authorities on these subject will have to be endorsed to the lending authorities by the Foreign Employer for making entries in service record of the employee concerned.

[H.P. Govt., F.D., O.M.No. Fin. (C) - C (17) -3/77 -11, dated the 31st July, 1985]

(7) Every Head of Office duty bound to show Service Books to Government servants every year and to obtain their signature therein in token of their having inspected the Service Books—Head of Office to also send a certificate to this effect to his next superior officer by the end of every September.— See Supplementary Rule 202.

(8) Service books of employees to be got audited at least 5 years prior to the date of their retirement.— In order to ensure expeditious settlement of pension cases of retiring employees it has been decided that following action should be initiated by every Head of Office at least 5 years prior to the date of retirement of an individual: -

i) Service Books of the employees mentioned above may be got audited from the local Accounts people i.e. the Accounts Officers/Section Officers of the Deptt. or from Local Audit Department or from Accountant General.

ii) All other details relating to service of employees may also be got verified so that the service book is complete in all respects.

iii) Objections relating to pay fixation should be attended promptly by all concerned Departments .

iv) Other details relating to pension papers etc. may also be got checked well in time.

[Para 3 of H.P. Govt., F.D., letter No. Fin. (Pen) A (3) -1/88, dated the 17th May, 1988]

(9) Supply of certified copy of Service Book to Government servants on their quitting service.— (a) The question whether it would be permissible to supply a certified copy of the service book of a Government servant who asks for it on quitting Government service by retirement, discharge or resignation has been considered and it has been decided that in such cases a certified copy of a Service Book may be supplied to the Government servant on payment of a copying fee of Rs.5.

[G.I., M.F., O.M. No. F.12 (16) -E.IV 6, dated the 9th May,1961]

(b) Consequent on departmentalisation of accounts and the maintenance of service books in respect of Gazetted officers having been introduced, a question has arisen whether copying fee is to be charged from Gazetted officers who were entitled to free supply of extract of service records on a requisition. It has been decided that for supply of a certified copy of service book to Gazetted officers, a copying fee of Rs.5 is to be charged. The copying fee should be accounted for under the appropriate Receipt Major Head of the Office/Ministry/Department under the Minor Head "Other Receipts".

[G.I., M.H.A., Deptt. of Per. & A.R., O.M. No. P.17012/2/79-LU., dated the 27th September, 1980]

(c) अधोहस्ताक्षरी को यह कहने का निदेश हुआ है कि पैन्शन अदालत में पुराने पैन्शन मामलों को निपटाते समय यह पाया गया है कि अधिकतर पैन्शन के मामले इस कारण तय नहीं हो पाते क्योंकि सेवा निवृत कर्मचारी की सेवा–पुस्तिका पुर्ण नहीं होती है या सेवा निवृति के परचात सेवा पुस्तिका उपलब्ध नहीं हो पाती। सेवा पुस्तिकाओं के समय–समय पर पुर्ण रूप से भरे जाने तथा उसमें सेवा का पूरा रिकार्ड दर्ज करने बारे पूरक नियम 196–203 (पार्ट –111–रिकार्ड आफ सर्विस) में हवाला दिया गया है जिसमें सेवानिवृति पर सरकारी कर्मचारी को एक सत्यापित प्रति निर्धारित फीस जो कि 5/- रूप्ये है, की अदायगी करने उपरान्त उपलब्ध कराने का भी प्रावधान है। ऐसा प्रावधान पूरक नियम 198 के नीचे भारत सरकार के निम्न आदेशों द्वारा किया गया है:–

1. G.I., M.F., O.M. No. F.12 (16) - E -IV/6 dated 9-5-1961
2. G.I., M. N. A., Department of Personnel and A.R., O.M. No. P-17012/2/79 LU. dated 27-9-1980.

सेवानिवृत कर्मचारियों के पैन्शन सम्बन्धी मामलों में विलम्ब का मुख्य कारण सेवा पुस्तिकाओं में समय–समय पर आवश्यक इन्दराज न होना तथा सेवानिवृति कर्मचारियों के पास सेवा पुस्तिका की सत्यापित प्रतिलिपी उपलब्ध न होना पाया गया हैं। अतः सेवानिवृति के मामले अविलम्ब निपटाने हेतु सभी विभगाध्क्षों से अनुरोध हं कि वे नियमानुसार समय–समय पर सेवा पंजिकाओं में सेवा का रिकार्ड दरज करने तथा सेवानिवृत कर्मचारियों की मांग पर सेवा पंजिका की सत्यापित प्रति भी अन्हें आवश्यक फीस की अदायगी उपरान्त उपलब्ध कराने बारे कृपया अपने अधीनस्थ कार्यालय अध्यक्षों को शीघ्रातिशीघ्र उचित निदेर्श जारी करें!

[H.P. Govt., F.D., O.M. No Fin (C)- (B) (13) -1 90, dated the 22nd September, 1990]

(10) Destruction of records of Directorates as a result of fire in Kennedy House, Shimla - Reconstruction of service books.— The undersigned is directed to say that the question of reconstruction of records of the Directorates after destruction of some of the records in the fire of the Kennedy House, Shimla - 4 was under consideration of the Government for some time past. After careful consideration it has been decided to prescribe the following procedure for the reconstruction of the records of the Directorates:--

Service Books

(a) In the case of such employees who had rendered service in the erstwhile Princely States, service particulars may be obtained from the Records Rooms of the District in which the service records of the employees concerned were deposited at the time of merger. In cases where it is not possible to trace the relevant records or the relevant record is not available, an affidavit supported by collateral evidence may be obtained from the employee concerned.

(b) In the case of the employees inherited from the Government of India or other State Governments or those allocated from the composite State of Punjab, the Governments/ Departments concerned may be requested to supply the service particulars of the employees together with attested copies of relevant orders relating to the appointments, postings, transfer, promotion, leave and other conditions of service etc.

(c) For the period of the service under Himachal Predesh the service particulars and the other relevant documents may be collected from the office copies of the pay bills, if available, otherwise the same may be had from the Audit and Accounts Office for whatever period the same may be available there. Assistance of the Establishment Returns for the earlier period, if available with the Audit and Accounts Office/ Directorates may also be had. Copies of the sanction orders of appointment/ promotion etc. as had been endorsed to the Audit Office may also be had from the said office.

(d) The officials must be having copies of all the relevant records relating to their service career. Accordingly all the officials may be asked to submit their service particulars supported with attested copies of documents as may be available with them.

(e) The records/particulars as may be available in accordance with the above procedure (a) to (d) may be compared and then service book/personal records may be completed with reference to entire material.

[H.P. Govt., Personnel Deptt., O.M. No. 8-69 71-DP (Appt-II) Vol. II. dated the 18th October 1976–Extract]

(11) Abolition of castes and sub-castes in matters connected with the State and its services.— (a) The undersigned is directed to say that the question of eliminating reference to castes and sub-castes in official records etc., consequent upon the decision of the Government of India was under consideration of the Government for some time past. It has now been decided by the Government that references to castes or sub-castes in all matters connected with the State and its services should be abolished. All forms, registers, etc. prescribed by the Government in various departments may, therefore, kindly be examined and suitable action taken to delete references to castes and sub-castes therefrom. In particular cases where there is any difficulty in giving effect to the above decision because of administrative reasons or for the fulfilment of a statutory obligation, the matter may be referred to this department for further consideration.

2. It has also been decided that the candidates belonging to Scheduled Castes/Scheduled Tribes applying for various posts/services under the Government should be asked to indicate only the fact whether they belong to Scheduled Castes or Scheduled Tribes and they should not be required to specify the name of the caste or sub-caste.

3. The Government also consider it desirable that similar steps should be taken by bodies which, though not full-fledged Government Departments, may be receiving assistance or support from Government in the form of Grants-in-aid etc. All the Administrative Departments are accordingly requested to advise such bodies accordingly.

The action taken in the matter may kindly be intimated to this Department.

[H.P.Govt., Personnel Deptt., O.M. No. Per (AP-II) -A(6)-6/75, dated the 4th October, 1976]

(b) I am directed to say that the Government have issued instructions *vide* this Department O.M.No. Per (AP-II) A (6) - 6/75, dated the 4th October, 1976 to the effect that references to the castes or sub-castes in all matters connected with the State and its services should be abolished and to say that it has come to the notice of the Government that these instructions are not being adhered to strictly. I am, therefore, to request you that it may kindly be ensured that these instructions are followed by all concerned in letter and spirit.

[H.P. Govt.. Personnel Deptt., letter No. Per (AP-II) A (6)-6/75-Pt, dated the 27th February, 1988]

(12) Procedure to be followed in according recognition to a *bonafide* change of name by Government servants.— The undersigned is directed to say that the Ministry of Home Affairs receive from time to time references from other Ministeries and Offices asking for advice as to the procedure to be followed in according recognition to a *bona-fide* change of name by Government servants. As the position in this respect is none too clear at present, the following procedure for the purpose has been decided upon in consultation with the Ministry of Law and may be noted for future guidance.

2. A Government servant wishing to adopt a new name or to effect any modification in his existing name should be asked to adopt the change formally by a deed changing his name. In order that the execution of the document may not be in doubt, it is desirable that it should be attested by two witnesses preferably those known to the head of the office in which the Government servant is serving. A sample deed form is enclosed herewith for reference. The execution of the deed should be followed by publication of the change in a prominent local news-paper as well as the Gazette of India, publication being undertaken by the Government servant at his own expense in both cases. For the publication of the advertisement in the Gazette of India Government servant should be directed to approach the Manager of Publications, Government of India, Publications Branch, Civil Lines, Delhi.

3. It is only after the formalities described in the foregoing paragraph have been complied with and satisfactory evidence of identity and execution of the document adduced by the Government servant that the adoption of the new name or change in the existing name should be recognised officially, entries in Government records so as be necessary being amended accordingly. True copies of the relevant documents should be retained by the Head of the Office concerned.

[G.I., M.H.A., O.M .No.60/274/48-Ests., dated the 3rd November 1948 as amended vide O.M. No. 87/52-Ests., dated the 4th March, 1952]

DEED CHANGING A SURNAME

BY THIS DEED I the undersigned A.B.C., (new name) of etc. now lately called A.C. (old name) employed as ------------------------------------(designation of the post held at the time by the Government servant concerned) at -----------(place where employed in the Ministry/Department of the Government of India) do hereby :-

1. For and on behalf of myself and my wife and children and remoter issue wholly renounce relinquish and abandon the use of my former surname of C (only) and in place thereof do assume from the date hereof the surname of B.C. and so that I and my wife and children and remoter issue may hereafter be called, known and distinguished not by my former surname of C (only) but by my assumed surname of B.C.

2. For the purpose of evidencing such my determination declare that I shall at all times hereafter in all records, deeds, and writings and in all proceedings dealings and transactions as well private as public and upon all occasions whatsoever use and sign the. name of B.C. as my surname in place of and in substitution for my former surname of C (only).

3. Expressly authorise and request all persons at all times hereafter to designate and address me and my wife and children and remoter issue by such assumed surname of B.C. accordingly.

IN WITNESS WHEREOF I have hereunto subscribed my former and adopted names of A.C. and A.B.C. and affixed my seal this ----------------------------day of ---------------.

Signed sealed and delivered by the above named ABC formerly A.C. in the presence of (b) [A.C./A.B.C.]

(13) Service Books to[1] be despatched by registered post acknowledgement due and not by ordinary post.— See para 12.6.2 (4) of H.P. Office Manual (2nd Edition).

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1. Annexure to Chapter VII omitted *vide* H.P. Govt., F.D., Notification No. Fin(C)-B(1)-5/85 dated the 10th April, 1985.

CHAPTER VIII

Contingencies

I—INTRODUCTORY

8.1. The rules of procedure prescribed in this Chapter shall apply primarily to "Contingencies" but miscellaneous expenditure as defined in the Subsidiary Treasury Rules which is not classed as contingencies is also subject to these rules, except in so far as it may be governed by any special rules of procedure in other chapters of this book or by departmental regulations.

Note.— Contingent charges are to be recorded and treated in the accounts as charges of the month in which they are actually disbursed from treasury.

II—CLASSIFICATION OF CHARGES

8.2. Contingent charges incurred on the public service are divided into the following three main classes, the classification adopted in each department or office being determined by orders of competent authority:–

(i) *Contract Contingencies.*— those for which a lump sum is placed annually at the disposal of a disbursing officer for expenditure as and when required, with proper sanction, if necessary. They generally consist of charges the annual incidence of which can be determined with reasonable accuracy.

(ii) *Countersigned Contingencies.*— to include such contingent charge as may require the approval of controlling authority before they can be admitted as legitimate expenditure against the Government such approval usually taking the form of countersignature after payment on a detailed bell submitted to the Accountant General *vide* rule 8.10 below.

In some cases, the control over these contingencies is exercised before payment. In such cases monthly detailed bills are not required to be submitted to the Accountant General, but the bills exhibit full details of the charges.

(iii) Audited Contingencies, i.e., those which are under the direct audit of the Accountant General, for which the bills paid at the treasury are ordinarily complete with sub-vouchers for items in excess of Rs.25 and which do not require countersignature.

III—GENERAL RULES

8.3. Subject to the sanction of the competent authority to the incurring of expenditure and to the provisions of the rules in this chapter a drawing officer may draw money from the treasury for contingent expenses, within the amount allotted to him in the budget estimate or otherwise, unless there is something novel, doubtful or irregular in the character of the expenditure. As explained in the Subsidiary Treasury Rules the term contingent expenses as used in this rule includes also 'other expenditure such as scholarships, stipends, rewards, fees, bonus, grants for uniforms, equipments, grants-in-aid, contributions, donations, etc.'

As regards drawing money for grants-in-aid, *see* Subsidiary Treasury Rules.

Note 1.—In cases where any scales in regard to contingent charges (e.g., rewards for destruction of wild animals) have been prescribed by Government, those scales should be strictly adhered to.

Note 2.—In the case of non-recurring charges, the competent sanctioning authority may, where this course is more convenient, accord sanction by countersigning the bill on which the money is drawn, prior to its drawal, instead of by a separate sanction.

Note 3.—Special rules relating to the following matters are contained in the appendices quoted against them:–

(1)	General rules for the supply of articles for the public service	–	Appendix 10
(2)	Miscellaneous rules regarding contingent expenditure	–	Appendix 11
(3)	Supply of liveries and clothing	–	Appendix12
(4)	Supply of articles form jails, co-operative societiesand industrial institutions	–	Appendix 13

Note 4.—Instructions relating to the purchase of stationery and printing stores are contained in the Himachal Pradesh Printing and Stationery Manual.

8.4. No pay of any kind and no additions to pay may be charged as contingent expenditure. *See*, however, rule 7.13.

Exceptions.—The following are examples of charges which may be treated as contingent expenditure:–

(a) Hot and cold weather establishment.

(b) Mazdoors engaged on the manual labour and paid at daily or monthly wages.

(c) Sweepers (whether whole-time servants or not).

(d) Extra potedars engaged under Subsidiary Treasury Rules to accompany remittances, etc.

(e) Temporary field establishments on (Survey and Settlement)

(f) Different classes of class IV employee (whole-time servants or not), declared as ineligible for pension as well as those who may in future be declared to be non-pensionable.

Note 1.—No class IV servants of the Boarding Houses attached to Government High Schools and Colleges except chowkidars and sweepers should be paid from State Revenues.

Note 2.—Contingent charges incurred on account of the wages of mazdoors engaged on manual labour and paid at daily or monthly rates should be supported by a certificate signed by the disbursing officer to the effect that the mazdoors were actually entertained and paid. The audit will call for some of the paid muster-rolls in each quarter and check them to see that they are properly maintained.

In the case of all other class IV employees certificates in the following form should be furnished by the drawing officer :–

"(i) Certified that skilled employees at the rate of ……….unskilled employees at the rate of ………………whose pay is being drawn in the bill have been sanctioned by ………………… with effect from ………………….. to …………………… or with effect from …………….to ……………………. or with effect from ……………….. for an indefinite period in exercise of the powers under ……………….. and that they were actually entertained during the period for which their pay has been drawn in this bill.

(ii) Certified that the rates of pay of employees drawn in this bill are in no case higher than those fixed by the Deputy Commissioner of this district for the corresponding period except where exempted by the competent authority……………….. *vide* Himachal Pradesh Government letter No. …………………….. dated ………..19…… .

(iii) Certified that no charges on account of pay of employees which have been left undrawn for more than twelve months are included in bill."

Note 5.—Where dak runners are employed solely for a particular work of a temporary nature not exceeding six months they may be treated as work-charged establishement. No details as to the rates of pay and period for which the pay of employees is drawn need be entered in the bills. The provisions of this rule will not apply in cases in which a personal claim on account of pay of contingency employees has been left undrawn for more than six months in which case the period for which the pay of employee is drawn shall be specified in the contingent bill.

Note 6.—Contingent bills preferring claims for rents, electricity and other concerned charges incurred on account of the hire of private buildings by the Government for accommodation of State Government offices should be accompanied by the following certificates signed by the disbrursing officer :-

"Certified that the amount drawn on account of rent, rates and taxes in contingent bill No.............., dated the ...., was actually paid to the parties concerned and that —

(I) No portion of the building for which the expenditure was incurred, was utilised for residential or other purposes during the period the charges were paid.

(II) The expenditure in resepct of the portion of the building used for residential or other purposes during the period for which the charges were paid, has been receoveredd from the undermentioned Government servants from whom it was due."

Provided that in the case of drawing and disbursing officers who do not find it possible to furnish the first portion of the certificate prescribed above due to the fact that the imprest amounts held by each of them are much less than the monthly rate of contingent expenditure on rent, rates and taxes, etc., required to be paid by each of them to different parties, the following certificates should be furnished in lieu of the first portion of the certificate prescribed above.

"Certified that :–

(a) the amounts drawn on account of rent, rates and taxes, etc. in previous contingent bill No.............., dated the .... have been paid to the parties concerned, and that ,

(b) the amount drawn in this bill will be paid to the parties on realisation.

H.P.GOVT. ORDERS

(1) Assessment of rent of private buildings hired by Government.— (a) I am directed to inform you that the question of formulation of policy with regard to hiring of private accommodation for housing Government Offices/Corporations and assessment of rent in respect of such accommodation has been engaging the attention of Government for some time past and it has now been decided that henceforth the following procedure shall be adopted by all concerned in this behalf :–

1. That the requirements of private accommodation for 2000 sq.ft. or above shall be advertised by the Departments/Corporations/Government Undertakings for obtaining competitive rates from the owners who may be interested to let out their accommodation. After the tenders are received confidential reference should also be made to the D.C. for ascertaining the prevalent market rent. This information of D.C's. should be strictly confidential for official use and should not be divulged to partly concerned. After the receipt of offers of the landlords, the negotiation should be made with the party whose rates happen to be the lowest and rent should be negotiated which should invariably be less than the market rent as per

recommendations of the D.C's. The reasons for arriving at the negotiated rent should be recorded in detail justifying the negotiated rent. While negotiating rent the representatives of the Department concerned, PWD and F.D. should be present.

2. In smaller towns where accommodation required be less than 2000 sq. ft. the rent should be got assessed from PWD and in these cases also recourse should be had for negotiating rent with the party concerned but this negotiated rent in no case should be more than the assessment of PWD. Before hiring accommodation in these smaller towns publicity shall be given by District Authority in the area so that the interested owners of buildings could quote the minimum rent of the buildings acceptable by them. In special cases, however, the Govt. with the approval of F.D. may sanction a higher rent not exceeding 25% of the PWD assessed rent. In these cases also reasons justifying the negotiated rent should be recorded in detail.

3. The Law Department is being requested to devise a suitable standard form of agreement. The same will be supplied to you direct by the Law Department in due course. In future, agreement with the owners of the buildings may be entered in that form.

[H.P. Govt., F.D., O.M. No. Fin-E-I-C(3) 2/83, dated the 12th August, 1983]

(b) In continuation of this department letter of even number dated the 12th August, 1983, on the subject cited above, I am directed to say that while negotiating rent with the owner of the building to be hired for offices at Shimla the following officers shall act as representatives of the Finance Department and P.W.D.

1. Under Secretary (Exp.) to the Govt. of Himachal Pradesh (As representative of Finance Department).

2. XEN., P.W.D., Shimla Provincial Division, as representative of P.W.D.

[H.P. Govt., F.D., O.M. No. Fin-E-I-C(3) 2/83, dated the 17th September, 1983].

(c) In continuation of this Department letter of even number dated the 21th August, 1983 on the subject cited above I am directed to say that since the issue of these instructions, clarification are being sought for on different issues. Accordingly all the points so far raised have been listed blow and necessary clarification is given against each point for information and guidance:-

Point for clarification	*Clarification*
1. The definition of big and small towns in the State.	The District Headquarters shall be treated as big towns and all other places shall be treated as small towns.

1. The procedure required to be followed in bigger towns for hiring accommodation less than 2000 sq. ft.	In Shimla Town the same procedure may be followed as prescribed in para-I of the above referred letter. As regards other places., i.e. in other District Headquarters for accommodation of less than 2000 sq. .ft wide publicity should be given by the District authorities in the area with a view to obtain competitive rates but in the area with a view to obtain competitive rates but in this case rent should be got assessed from the PWD as well as by the D.C. of the place concerned confidentially and thereafter negotiation should be held with the party concerned but negotiated rent should in no case be more than the assessment of the D.C. Advertising may be dispensed with only if on the basis of mutual negotiation the landlord is agreeable to letting out the building on PWD rates/assessment.
3. The procedure for assessment of rent required to be followed in outside town areas.	The same procedure as prescribed in para 2 of the letter dated 12-8-1983 should be followed in such cases.
4. Whether the old pending cases for assessment of rent lying with the Deputy Commissioner are to be processed according to the old procedure or are to be dealt with under the instructions contained in letter dated 12.8.83?	It is felt that where accommodation has been hired by the Department after giving understanding to the owners that rent shall be paid on the basis of the assessment made by the D.C. and this understanding has been given after obtaining prior concurrence of the F.D. then such cases are required to be processed according to the procedure and rent as is assessed by the D.C. should be given but in cases where accommodation is hired after 12th August, 1983, i.e. after issue of the instructions, and old cases where prior approval of F.D. has not been obtained, those cases are required to be processed according to the revised procedure.
5. What will be procedure for re-assessment of rent?	Strictly speaking re-assessment of rent cannot be allowed as a matter of course. However, this matter is separately under consideration.

[H.P. Govt., F.D., O.M.No. Fin-E-I-C(3) 2/83, dated the 3rd December, 1983]

(d) In continuation of this Department letter of even number, dated the 12th August, 1983 on the subject cited above and to forward herewith a standard lease agreement form duly vetted by the Law Department which be entered into with the owners of the private buildings while hiring their buildings for office/residential use.

[H.P.Govt., F.D., O.M. No. Fin. E-I-C(3)2/83, dated the 7 th February, 1984]

AGREEMENT FORM

THIS LEASE is made on.................day ....of ....19.......,BETWEEN..... aged ....years, son of....................................resident of .... (hereinafter called the 'Landlord') of the one part AND................(hereinafter called the 'Tenant') of the other part.

WITNESSES that in consideration of the rent hereinafter reserved and of the Tenant's covenants hereinafter contained the Landlord hereby leases unto the said Tenant ALL THAT dwelling house together with the out-houses, and garage and compound etc. ....(describe the property leased by stating the municipal number, road and town and give the boundary), TO HOLD the same, unto the Tenant, for the term of Five (5) years, from the day of............yielding and paying during the said term a monthly rent of Rupees................. .(Rs..............) only.

1. The tenancy shall be for a period of five years commencing from........ The rent of every month hereby reserved shall fall due on the first of that month but payable within the first week of the following month.

2. That the tenant shall not be liable to pay any taxes.

3. That the landlord after ascertaining the convenience of the tenant shall conduct the repairs of the building hereby demised and shall expend at least one month's rent on the repairs every year. All the repairs, additions and alterations if desired by the tenant shall be intimated to the landlord. PROVIDED that if such repairs, additions and alterations do not exceed the value of one month's rent and if the landlord fails to carry out such repairs, additions and alterations within a reasonable period, the tenant shall be at liberty to carry out such repairs etc. at the cost of the landlord and to deduct it from the rent payable by the tenant.

4. That if the tenant be desirous of continuing with his tenancy for any period beyond the period specified heretofore, he shall give at least 15 days' notice of his intention to the landlord, as otherwise the tenancy shall expire at the conclusion of the period specified in the agreement and the tenant give quiet and peaceful vacant possession of the property hereby demised to the landlord.

5. That wherever the content allows, the expressions "the Landlord" and "the Tenant" used in these presents include besides landlord, his heirs and assigns and besides tenant his successors in office and assigns.

IN WITNESS WHEREOF the said .... and .... have hereto at .... signed the day and year first above mentioned.

Signed...........................
Landlord

Witness:

1.

Signed...........................
Tenant

2.

(e) In continuation of this department letter of even number dated the 7th February,1984 on the subject cited above I am to state that if any Department for any special reasons wishes to execute an agreement for a lesser period, it shall first obtain the concurrence of Finance Department. While approaching for this purpose, the Department should give cogent reasons justifying the circumstances on account of which the lease deed is proposed to be entered for lesser than five years.

As regards premises already taken on lease for particular period the terms & conditions of lease deed already entered into shall continue till the expiry of the lease deed.

[H.P. Govt., F.D., O.M. No. Fin. E.I.C. (3) 2/83, dated the 7th May 1984]

(f) I am directed to invite your attention to letter No. 11-5/74 Fin. (F) dated 31-3-1977 addressed to you and copy endorsed to all Administrative Departments and Deputy Commissioners in Himachal Pradesh on the subject cited above and to say that in accordance with the instructions issued through the aforesaid letter, when rent was got assessed from Deputy Commissioner for hiring building for housing Government office in cases where the owners of the building were not prepared to rent out their building on the assessment of Public Works Department, it was stressed that Deputy Commissioners should not entertain any request from the Departments for assessment of rent unless the Departments concerned specifically indicate that approval of Government in consultation with Finance Department has been obtained. Now the procedure for assessment of rent of buildings to be hired has been revised and revised procedure is detailed in the instructions contained in letter No. Fin.- E- I- C (2) 2/83, dated 12-8-1983 as subsequently amplified *vide* instructions contained in Finance Department's letter No. Fin. E.I.C.(2) 2/83 dated 3-2-1983, addressed to all Administrative Secretaries/Heads of Departments/Deputy Commissioners. According to these instructions the Departments have to make confidential reference to Deputy Commissioner for ascertaining the market rent prevailing when it is proposed to hire accommodation. This assessment of rent of Deputy Commissioner is merely meant for information of the negotiation committee for purpose of determining and finalising the rent and for making this reference to Deputy Commissioner by the Departments, Finance Department's concurrence is obviously not required and such requests may be entertained by Deputy Commissioners direct from the Departments.

However, as regards old building already hired by Departments prior to the issue of instructions dated 12-8-83 referred to above, the Deputy Commissioners should not entertain any request of the Department for re-assessment of rent unless the Department specifically certifies that Finance Department's concurrence for this purpose has been obtained.

[H.P. Govt., F.D., letter No. 11-5/74 Fin. (F), dated the 14th June, 1984]

(g) I am directed to inform you that the question of re-assessment of rent of buildings hired by the Government for housing its offices has been engaging the attention of Government for some time past and it has now been decided that upward revision of rent at the rate of 20 % after every ten years may be allowed. No revision shall be allowed before the expiry of ten years. To avoid excessive escalation of rent for the very old cases (where as of today buildings have been on rent for very long period) the first re-assessment shall be done as if the buildings have been on rent for ten years, regardless of actual number of years of tenancy exceeding ten years.

The re-assessment shall be allowed only with the prior concurrence of the Finance Department. A second re-assessment shall not be allowed unless a period of ten years has elapsed since the first one.

[H.P. Govt., F.D., letter No. Fin-E-I-C (3)-2/83, dated the 11th December, 1985]

(h) In continuation of this Deptt. letter No..Fin.E-I-C(3)-2/83, dated the 11th December, 1985 on the subject cited above, I am directed to inform you that the question of re-assessment of rent of buildings hired by the Government for housing its offices has been engaging the attention of the Government for some time past. It has been felt that the Government should allow a reasonable re-assessment of rent of those buildings which have been with the Government for very long periods (in excess of ten years) so that the land lords could at least recover their rising maintenance cost. The matter has been considered by the Govt. and it has now been decided that :--

(1) the clause that the first re-assessment shall be done as if it is being done after ten years regardless of the actual number of years for which the buildings has been under occupation, shall be deleted.

(2) to allow the re-assessment at 20% for every block of 10 years and at 2% for every fractional year thereafter.

(3) It is, however, stipulated that the re-assessment shall take place with immediate effect. (date of sanction by FD) and no arrear shall be allowed for the period for which re-assessment is being done.

(4) the re-assessment shall be allowed only with the prior concurrence of the Finance Department.

[H.P. Govt., F.D., letter No. Fin.C(3)-2/83, dated the 31st October, 1986]

(i) In continuation of this Department letter of even number dated the 12th August, 1983 on the subject cited above, I am directed to say that it has been observed that some of the Executive Engineers of PWD are interpreting para I of the above referred letter to the effect that they are not competent to assess the rent for building having an area of 2000 sq. feet or above, and that in such cases only the Deputy Commissioners have been authorised by the Finance Department to make the assessment of rent in respect of private buildings hired for housing Government offices.

This is not correct. It is hereby clarified that the PWD is competent to assess the rent of private buildings irrespective of the fact whether the accommodation is being hired in big or small towns in the State and whether the area is less or more than 2000 sq. feet. In fact the first assessment should invariably be done by the PWD and if the PWD assessment is not acceptable to the land-lord only then should procedure laid done down in para 1 of the letter *ibid* be followed. However, even when assessment is done by the negotiation committee the approval of rent is required to be obtained from Finance Department.

[H.P. Govt., F.D., letter No. Fin. E-I-C (3) 2/83, dated the 30th March. 1987]

(j) In continuation of this Department letter of even number, dated 31 st October, 1986 on the subject cited above, I am directed to inform you that consequent upon the enactment of the Himachal Pradesh Urban Rent Control Act, 1987, all the cases of revision/re-assessment of rent of buildings hired by the Government for housing its offices are required to be examined in accordance with Section 5 (2) and Section 6 of the said Act which supersedes the existing procedure laid down in the above referred letter.

Provision of revision of fair rent in certain cases is contained in Section 5(2) of the said Act which says that "Notwithstanding anything contained in any law for the time being in force or any contract, a landlord shall, in addition to the increase in rent provided in this Act, be entitled to increase the rent of a building or land at the rate of 10 % (percent) of the fair rent or agreed rent, as the case may be, after every five years and such increase shall be--

(a) In a case where such a building or land has been let out for a period of 5 years or more immediately preceding the commencement of this Act–

  i. first with effect from the date of such commencement and

  ii. again with effect from the expiry of the period of every five years from such commencement and

(b) where such building or land has been let out before such commencement for a period shorter than five years and the maximum period within which such building or land remains let our extends beyond 5 years from the date of the commencement of such a tenancy--

  i. first with effect from the date of expiry of five years from the commencement of such tenancy,

  ii. again with effect from the date of expiry of the period of every 5 years from the date on which revision made under Clause-(I) takes effect."

As regards admissibility of increase in rent i.e.., re-assessment, it has been provided in Section 6 of the said Act that no further increase in such fair rent shall be permissible except in cases where some addition, improvement or alteration has been carried out in the building or rented land at the landlord's expense and if the building or rented land is in the occupation of a tenant, at his request.

Provided that the fair rent as increased under this Section shall not exceed the fair rent payable under this Act for a similar building or rented land in the same locality with such addition, improvement or alteration and it shall not be chargeable until such addition, improvement or alteration has been completed.

These provisions of the Act authorise the landlords to increase their rent @ 10% after the commencement of these provisions of Act or after every 5 years period of tenancy as the case may be. In such cases the arrears of rent are payable from the due dates unlike the previous instructions under which no arrears were admissible and increased rent was allowable from the date of sanction by the Finance Department. It is , however, further clarified that under the Act, arrears are payable only w.e.f. 18-8-1987 and not for the period before that date. These provisions of Act have come into force w.e.f. 18-8-1987.

You are requested to examine the cases of revision/reassessment of rent in the light of these provisions and all the Administrative Secretaries may decide such cases at their level without any reference of Finance Department.

[H.P. Govt., F.D.., letter No. Fin-I-C(3)-2/83 dated the 23rd April, 1988]

(k) It has been observed that Administrative Departments send the cases of expenditure sanction for the payment of rent of buildings hired by the Government for housing its offices to Finance Department every year even where the rent has already been approved by the Finance Department. It has now been decided that such cases need not be referred to Finance Departments henceforth.

2. It is, therefore, requested that all the Administrative Secretaries may accord sanction to incur expenditure on account of payment of rent already approved by Finance Department at their level without any reference to Finance Department. It has further been decided that payments on account of rent may be made by all the departments before 7th of each month by way of cheques/M.O. etc. and the expenditure on sending M.O. and cheques may be borne by the respective Departments. .

[H.P. Govt., F.D.., letter No. Fin.I-C(3)-2/83, dated the 28th July, 1988]

(l) यह देखने में आया है कि विभाग गप्रमीण क्षेत्र में कार्यालय/ रिहायश के लिए लेते समय निजी मकानों को मकान मालिकों से कोई इकरार नामा नहीं किया जाता जिसकी अनुपस्थिति में विभाग को आवश्यक कठिनाईयां उठानी पड़ती है। अतः सरकार ने अब यह निर्णय लिया है कि ग्रामीण क्षेत्रों में कार्यालय/ रिहायश हेतु लिये जाने वाले निजी भवनों का मकान मालिक से इकरार नामा किया जाए। इसी के फलस्वरूप "पटटा विलेख" इस पत्र के साथ संलगित किया जा रहा है, जिसे आवश्यकतानुसार किराये पर लेने से पूर्व सम्बन्धित मकान मालिक के साथ किया जावे।

इस पत्र की प्राप्ति से कृप्या सूचित करें।

[H.P. Govt., F.D., letter No. Fin-E-I-C(3)-2/83, dated the 15th July, 1991].

पटटा विलेख

यह एक पक्षकार के रूप में........................आयु..................जो ....का पुत्र और...... ....का निवासी है (जिसे इसमें आगे पटाकर्तो कहा गया है) और दूसरे पक्षकार के रूप में राज्यपाल, हिमाचल प्रदेश द्वारा......................... (जिन्हें इसमें आगे पटटेदार कहा गया है) के बीच आज तारीख...................को किया गया है।

यह विलेख इस बात का साक्षी है के इसमें इसके पश्चात आरक्षित किराया और इसमें आगे दी हुई पटटेदार की ओर से की गई प्रसंविदाओं के प्रतिफलस्वरूप, पटटाकर्ता पटटेदार को बाहय गृहों, गैराज और आहता इत्यादि सहित सम्पूर्ण निवास गृह.................. (पटटे पर दी गई सम्पत्ति का गृह संख्या सड़क किसगं सीमा सहित विवरण दें) तारीख.................................. से (तथाकथित अवधि के दौरान.................................. रूपय (.......................... रूपये) केवल, प्राप्त करने और संदत्त करने पर पटटान्तरित करता है।

1. यह अभिवृति पांच वर्प की अतधि के लिए होगी और तारीख.................................. से प्रारम्भ होगी। एत्द द्वारा प्रत्येक मास का आरक्षित किराया उस मास के प्रथम दिन को देय होगा परन्तु अगले मास के प्रथम सप्ताह के अन्दर संदेय होगा।

2. पटटेदार किसी भी प्रकार के करों को देने के लिए उत्तरदायी नहीं होगा।

3. पटटेदार की प्रसुविधा अभिनिश्चित करने के पश्चात पटटाकर्ता एतद द्वारा पट्टे पर दिये गये भवन की मुरम्मत करवाएगा और प्रत्येक वर्ष कम से कम एक मास के किराये को मुरम्मत पर खर्च करेगा। यदि पटटेदार की बांछा हो तो सभी प्रकार की मुरम्मत, परिवर्धन और परिवर्तन की सूचना पटटाकर्ता को दी जाएगी।

परन्तु यह कि ऐसी मुरम्मत, परिवर्धन-और-परिवर्तन एक मास के किराया के मूल्य से अधिक नही है और यदि पटटाकर्ता, युक्तियुक्त अवधि के अन्दर ऐसी मुरम्मत परिवर्धन और परिवर्तन करने में असफल रहता है, तो पटटेदार पटाकर्ता के खरचे पर ऐसी मुरम्मत इत्यादि करने और इसे पटटेदार द्वारा संदेय किराया में से काटने के लिए स्वतन्त्र होगा।

4. यदि पटटेदार आरम्भ में तय पाई गई और यहां विर्निर्दिष्ट कालावधि के बाद किसी कालावधि के लिए अभिधृति के साथ सतत रहने की इच्छा रखता हो, पटटाककर्ता एतद द्वारा प्रदान की गई अवधि के अन्त पर, पट्टेदार को पट्टे पर दिये परिसर में कब्जे में बने रहने के लिए पांच वर्ष की अवधि या ऐसी प्रसंविदा और उपबन्धों पर जो कि दोनों पक्षों के बीच पारस्परिक सहमति से हों, करार के नवीकरण, द्वारा नया पटटा पटटेदार की प्रार्थना और व्यय पर निष्पादित करेगा।

5. यह भी उपबन्ध है और एतद् द्वारा निम्नलिखित रूप से यह करार किया जाता है कि:–

I. जब भी एतद द्वारा आरक्षित किराये का कोई भाग..............मास के लिए देय तारीख के पश्चात बकाया रह गया हो या पटटेदार द्वारा इसमें अन्तर्विष्ट किन्हीं प्रसंविदाओं को भंग किया गया है तो पटटाकर्ता पटटे पर दिये गये परिसर में पुनः प्रवेश कर सकेगा और इस पटटे का पर्यावसान कर सकेगा।

II. एतद द्वारा स्थापित अभिधृति का उस दशा में जब एतद द्वारा आरक्षित कालावधि के दौरान से अधिक के लिए पट्टेदार द्वारा अपेक्षित न हो तो पटटेदार के विकल्प पर पटटाकर्ता को एक मास का लिखित नोटिस दिए जाने पर पर्यवसान हो जाएगा।

6. यह कि संदाय के लिए कोई मांग या पटटेदार को इस अपेक्षा से भेजा या दिया गया नोटिस यदि पटटाकर्ता या उसके अथिकर्ता द्वारा पटटेदार के नाम पटटान्तरण परिसर पर (या, ... पर) रजिस्टर्ड पत्र द्वारा भेजा गया है तो पर्याप्त रूप में या बनाया /भेजा गया माना जाएगा, और पटटाकर्ता को पटटेदार द्वारा उसके सामान्यतः अन्तिम ज्ञात निवास स्थान पर या कारोबार (या,................................ पर) के पत्ते पर रजिस्टर्ड पत्र द्वारा यदि भेजा गया हो तो वह पर्याप्त रूप से दिया माना जाएगा, और कोई मांग या नोटिस किसी भी दशा में डाक द्वारा भेजा गया है तो वह सामान्यतः डाक द्वारा भेजा गया माना जाएगां

7. इसमें इसके पूर्व अन्तर्विप्ट पटटे के नवीकरण के लिए अपेक्षित प्रसंविदा की शर्तो के अध्यधीन रहते हुए पटटेदार पटटे की अवधि के अवसान पर या इसके शीघ्र पर्यवसान पर पटटान्तरण परिसर को शन्तिपूर्वक खाली करके कब्जा पटटाकर्ता को दे देगा।

8. यह कि जहां भी सन्दर्भ से अनुमत हो इस विलेख में प्रयुक्त अभिव्यक्तियों "पटटाकर्ता" और "पटटेदार" में पटटाकर्ता के अतिरिक्त उसके वारिस और समनुदेशिती और पट्टेदार के अतिरिक्त उसके उत्तराधिकारी और समनुदेशिती भी सम्मिलित हैं।

इसके साक्ष्य–स्वरूप कथित........................और..........................ने उपर सर्वप्रथम लिखित तारीख को इस पर अपने–अपने हस्ताक्षर कर दिये हैं।

साक्षी :– हस्ताक्षर

1..............................

....

पट्टाकर्ता

2..............................

हस्ताक्षर

....

हिमाचल सरकार के लिए पट्टेदार

(2) **Hiring of accommodation for housing Government offices—Scale of space for different categories of Government servants.—** (a) I am directed to refer to the matter cited as subject and to say that the question of re-fixation of norms for hiring private accommodation for Government offices has been engaging the attention of the Government and in supersession of all previous orders/instructions, it has now been decided by the Government that private accommodation may be hired for housing the Government offices keeping in new the norms now re-fixed in respect of officers and officials as per enclosed schedule, after observing the laid down procedures including all codal formalities as contained in the instructions issued by the Finance Department from time to time. In case the accommodation exceeds the space ceiling as prescribed in the enclosed schedule the accommodation should not be hired without obtaining the prior concurrence of the Finance Department failing which the officer concerned would be held responsible.

2. This may please be brought to the notice of all concerned for strict compliance.

3. The receipt of this letter may please also be acknowledged.

[H.P. Govt., F.D., letter No. Fin. E.C. (3) - 1/95 dated the 22nd March ,1996] .

SCHEDULE

Category of officers	Revised entitlement (in carpet area)
I. Class-I Officers	
a. Heads of Departments/ DCs/SPs	250 Sq .ft.
b. Other Class-I Officers.	180 Sq. ft.
II. Class-II Officers	
a. Heads of Offices	140 Sq .ft.
b. Other Class-II Officers	120 Sq. ft.
c. Supdt. Grated-I	120 Sq. ft.
III. Class-III Officials	
a. Draftsman/Tracer	55 Sq. ft..
b. Supdt. Grade-II	55 Sq. ft.
c. Assistant	35 Sq. ft.
d. Clerk	35 Sq. ft.
e. Restorer/Daftry	35 Sq. ft.

IV.	a. For Record	10%
	b. For circulation	30%
V.	Deviation on total area	25%

Note.-- For general record room and stores, the departments will get their norms fixed and approved from the Finance Department.

(b) मुझे उपरोक्त विषय पर यह कहने का निदेश हुआ है भविष्य में कार्यालय भवनों के लिए एन.ए.सी प्राप्त करने के लिए यह सूचना भी संलग्न करें कि आपके विभाग में कुल कार्यरत कर्मचारियों की संख्या कितनी है ताकि उस भवन के क्षेत्रफल का अनुमान लगाया जा सके। एन.ए. सी. प्राप्त करने हेतु पत्र विभागाध्यक्ष के माध्यम से ही आने चाहिए।

[H.P. Govt., G.A.D., letter No. Gad (D) (I) -18/76-II, dated the 11th June 1991]

(3) Hiring of trucks/godowns of co-operative societies.— I am directed to state that a large number of trucks have been purchased and a large number of godowns have been constructed by the co-operative societies in the Pradesh. It has been brought to the notice of Government that most of the departments/undertakings hire private trucks/godowns to meet their requirements and the trucks/godowns of the co-operative societies remain unutilised. Keeping all these facts in view it has been decided that Government departments/public sector undertakings in the Pradesh will, in the first instance, approach the co-operative societies for hiring of trucks/godowns before they approach the private parties. They should hire private godowns/trucks only in case trucks/godowns of co-operative societies are not available.

It is therefore, requested that these instructions may kindly he brought to the notice of all concerned for compliance.

Kindly acknowledge the receipt of this letter.

[H.P. Govt.., F.D.., O.M. No Fin. 1F (A) 9-6/88, dated the 5th December, 1988]

(4) Fixation of scale of fixtures and furniture in H.P. Government offices.— (a) I am directed to refer to the matter cited as subject and to say that the question of re-fixation of scale of fixtures and furniture in the H.P. Government offices has been engaging the attention of the Government for some time and now, in supersession of all previous orders, the scales are prescribed as per the schedule.

2. This may kindly he brought to the notice of all concerned for strict compliance.

[H.P. Govt., F.D., letter No. Fin .E. C(3) 2/95, dated the 22nd March, 1996]

SCHEDULE

Category of Officers	Description of furniture	Quantity
1. Secretaries/ Spl. Secretaries/ Addl. Secretaries/ HODs/DCs/SPs/ Selection Grade and above officers AIS, S.Es in Circles.	Table, Chair for the Officer, Chairs for visitors, Sofa-Sets, Centre Table, Cup-boards, Clocks, Curtains/Blinds Etc. Side Rack.	As considered necessary.
	Floor Covering	Material as considered necessary
	Heater and/or Fan Waste paper basket Foot Rester	
2. Joint Secretaries/ Dy.Secretaries/ and other Class-I Officers.	1. Officer's table	1
	2. Chair for officer	1
	3. Chairs for visitors (with arms)	4
	4. Side Rack	1
	5. Steel Almirah(Small)	1
	6. Floor Covering — matting/Durry/ Synthotic carpet/ Drugget.	Size as per space norm entitlement
	7. Waste Paper Basket	1
	8. Heater and/or fan	1
	9. Wall Clock	1
	10.Foot Rester(Wooden)	1
	11.Sofa Set (3 pce)	1
	12.Centre Table	1
	13.Curtains/Blinds	As per requirement
3. Heads of Offices-Class-II	1. Officer table	1
	2. Chair for officer	1
	3. Side Rack	1
	4. Steel Almirah(small)	1
	5. Floor covering- matting/Durry/	Size as per space norms

	Synthetic carpet/ Drugget	entitlement
	6. Waste Paper Basket	1
	7. Door Mat	1
	8. Wall Clock	1
	9. Chairs for visitors	4
	10.Foot Rest(wooden)	1
	11.Curtains/Blinds	As per requirement.
	12. Heater and/or Fan	1
4. Other Class-II Officers	1. Officer Table (Sunmica top)	1
	2. Arm Chairs	1
	3. Chairs for visitors(ordy)	2
	4. Steel Almirah(small)	1
	5. Waste Paper Basket	1
	6. Wall Clock	1
	7. Foot Rest (wooden)	1
	8. Side Rack	1
	9. Curtains/Blinds	As per requirement
5. Class-III Officials - Supdt./PA/ Asstt./Stenographers/ Clerks etc.	1. Sunmica top table (4x3x2-1/2)	1
	2. Chair ordinary with arms	1
	3. Steel Almirah(big) for confidential record in one or two sections	1(to be shared by 2 Asstts.)
	4. Steel Racks (big)	1
	5. Waste Paper Basket	1
	6. Wooden Rack	1
6. Class-IV Officials		
a) Gestatner/ Daftri/ Restorer/ Jamadars/in Process Service Offices.	1. Table(small)	1
	2. Chair Ordy with arm	1
	3. Waste Paper Basket	1
	4. Wooden Rack	1
b) Office Peon	Stool	1

……

(b) I am directed to invite your attention to this department letter of even number dated 22-3-1996 on the subject noted above and to say that in partial modification in the aforesaid letter it has also been decided that all the Class III officers/officials working in the plains/ hot areas shall also be entitled for the use of ceiling fans in their office rooms as per requirements.

[H.P. Govt., F.D.., letter No. Fin—E-C-(3) 2/95, dated the 16th November, 1996]

(c). Similarly, in case of furniture and fixtures, the main consideration should be suitability and efficiency rather than prestigious and luxurious appearances.

[Extract from H.P. Govt., F.D.., letter No. Fin. I.C. (14) 1/81, dated the 14th June 1982 to the Secretaries (PWD) and (Housing) to H.P. Govt.]

(d) I am directed to state that the Government of H.P. has decided that no expensive furnishing will be purchased in future for Government offices, guest houses, rest houses, etc, and that only Khadi, handloom and products of local manufactures shall be used for furnishing them and the furniture shall be simple. For example cane chairs shall be used instead of upholstered chairs.

I am, therefore, directed to bring this decision to your notice for strict compliance at all levels in your department or organisation.

[H.P. Govt., Industries Deptt., letter No. Udyog (Kha) 15-25/82, dated the 18th November, 1982]

(5) State Luncheon/Dinners, Working Lunch/Dinner and Refreshments in official meetings.— (a) In supersession of all previous instructions issued by the Government from time to time with regard to serving of State Luncheon/Dinners/Working Luncheon and refreshments on various occasions, the following instructions are hereby issued for strict compliance.

(1) State Luncheon/State Dinners.— The State Luncheon/Sate Dinners are ordinarily hosted by Hon'ble Chief Minister, Ministers and Chief Secretary on specific occasions. In all cases approval of Hon'ble Chief Minister may be cbtained whenever any State Luncheon/State Dinners are to be hosted, All arrangements for hosting State Luncheon/State Dinners shall be made only in H.P. Tourism Development Corporation Hotels/State Guest Houses/Circuit Houses/P.W.D. Rest Houses on the rates approved by H.P.T.D.C./Hospitality Department. Number of persons to be invited for State Lunch/State Dinner should be kept to the minimum. No alcohlic drinks/ cigarettes, etc. will be served on such occasions. The expenditure on the above will be borne by the General Administration Department.

(2) Working Lunch/Dinner.— Ordinarily no working lunch/dinner would be hosted. Administrative Departments, Boards, Corporations who desire to host lunch/ dinner will obtain prior approval of Chief Secretary. The expenditure on this item will be borne by the respective departments.

(3) *Refreshments.—* As a measure of austerity, during official meetings in the Departments/Boards/Corporations not more than one sweet biscuit and one namkeen biscuit with tea/coffee or apple juice will be served. The requisition in triplicate including nature of meeting,

number of persons attending etc. will be prepared by the Private Secretary/P.A. One copy of such requisition will be supplied with the order to the Hotel/ Canteen, other copy will be sent to the bill passing authority in the Board/Corporation/HODs and to G.A.D. in case of H.P. Secretariat for its verification and third copy will be retained in the office. It may be noted that no refreshment/ tea should be served to the visitors in case the Minister/officer concerned is no leave/tour.

The above instructions should be observed in letter and spirit. However in case of deviation under special circumstances, the approval of the Finance Department will be required to be obtained in all cases by the concerned departments.

This issues with the prior approval of the Finance Department obtained *vide* their U.O.No. 423-Fin (C) A (9) 1/86 dated 10-3-1997.

[H.P. Govt., G.A.D. ., O.M. No. GAD-A (F) 10-3/97, dated the 21st March,1997]

(b) I am directed to say that normally Government entertainments including dinner, etc. are not to be arranged during the period to official mourning. However, there are certain days though not declared as official mourning days, yet are observed with solemnity, like 30th January in the memory of Mahatma Gandhi and 31st October of Smt. Indira Gandhi.

2. It is only appropriate that 30th January and 31st October should be observed with solemnity and no Government official entertainment should be arranged on these days

3. These instructions may be brought to the notice of all concerned.

[G.I.., M.H.A., letter No. 2/4/87-Public, dated the 22nd June 1987, circulated vide H.P. *Govt.., G.A.D., letter No. GAD-A(F) 10-3/82, dated the 14th August, 1987]*

(6) **Refreshment for Secretariat officials required to sit late or to work on holidays during Vidhan Sabha Session.**— (a) I am directed to say that it has been decided by the Government that during the Vidhan Sabha Session, officials in the Secretariat are required to sit late to prepare material for Vidhan Sabha Session and for such late sitting it is felt that, as a matter of goodwill gesture, employees working late after 7 P.M. be provided light refreshment (tea & Samosa) of the value of Rs.1.50 each for which requisition duly stamped may be sent by the Section Officer/Branch Officer to the Manager, H.P. Sectt. Canteen. The refreshment will also be provided once a day on the holidays falling during the current Vidhan Sabha Session. You are, therefore, requested that further action may please be taken accordingly.

Endorsement

A copy is forwarded for information and necessary action to :-

1. All Special Assistants/Private Secys. /Section Officers, H.P. Sectt., Shimla-171002.

2. The Manager, H.P. Sectt. Canteen with the request that necessary arrangement for serving the refreshment may please be made. He will please send the bills to the Under Secretary (SA-Accounts) duly verified by the officers concerned for payments after the session is over.

[H.P.Govt., Personal Deptt., (SAD), letter No. Per (SA-I)-C(5)-1/84, dated the 20th March, 1984 to Secretaries, Jt. Secretaries, etc.]

(b) I am directed to say that it has been decided by the Government to offer refreshment to the employees of H.P. Secretariat, who are required to sit late in office after 7.00 P.M. at Rs.1.50 paise per head through H.P. Tourism Development Corporation Canteen during the Assembly Session starting from 7-3-1988 as was given during the last Assembly Session. It is, therefore, requested that all concerned may be informed to avail of this facility. The instructions issued in this behalf *vide* this Department's letter of even number dated 20-3-1984 will apply in this case in so far as providing refreshment during holidays is concerned.

[H.P. Govt., Personal Deptt., letter No. Per(SA-I) C(5)1/84, dated the 3rd March, 1988 to all the Secys./Jt.Secys./Dy.Secys./Under Secys. to the H.P. Govt.]

(7) Scale of steam coal, firewood, charcoal, etc. for heating purposes in Government offices during winter.— (a) The matter regarding refixation of scale of steam-coal, firewood, charcoal etc., for heating purposes in District offices of the State Government in the Pradesh during winter season has been re-examined by the Government and it has been decided that steam-coal, firewood, charcoal, etc., will be issued on the following scales for heating purposes during the winter season:—

I. *For all offices located in Districts of H.P. (except Kinnaur, Lahaul and Spiti Districts and Pangi Tehsil of Chamba District).*

(i) 11 (Eleven) Kg. Steamcoal with (2) Kg. Firewood per Stove/Wall Angithi/Tandoor per working day.

OR

20 (Twenty) Kg. Firewood per Stove/Wall Angithi/Tandoor per working day x x x x x x.

(ii) 2 (Two) Kg. Charcoal per Charcoal Angithi per working day.

II. *For all offices located in Kinnaur, Lahaul and Spiti Districts and Pangi Tehsil of Chamba District.*

(i) 15 (Fifteen) Kg. Steamcoal with 2 (Two) Kg. Firewood per Stove/Wall Angithi/Tandoor per Working day.

OR

28 (Twentyeight) Kg. Firewood per fire-place/stove per working day.

(ii) 9 (Nine) Kg. Charcoal per Angithi per working day.

(iii) 1 (One) litre Kerosene Oil for burning 12 (Twelve) Angithis/Wall Angithis/Tandoors in District Lahaul and Spiti x x x x.

The orders for the use of firewood in excess of 2 Kg. in the offices at Sl. I (i) are subject to production of a certificate in each case that the steamcoal was not available on days of use of firewood. Besides due care be taken of the policy of the Government ensuring protection of forest (fuel) resources in the State.

This is in partial modification of this Government letter of even number dated the 2nd November, 1968 and 26th November, 1974.

The concurrence of Finance Department have been obtained *vide* their U.O. No.712/11-37/74 dated 23rd March, 1976.

[H.P. Govt., Revenue Department, Office Order No.8-6 /67.-Rev.II, dated the 8th April, 1976]

(b) I am directed to say that the mater regarding refixation of scale of steam coal, firewood, charcoal etc. during winter season for heating purposes in the district offices of the State Government located at the height of 8000 feet (eight thousand feet) and above has been engaging the attention of the Government for some time past. It has now been decided that the steam coal, firewood, charcoal etc. will henceforth be issued on the following scales in all offices of the State Government located at the height of 8000 feet and above in the Non-Tribal areas of Himachal Pradesh.

I. Steam coal	13 Kg. with 2 (two) Kgs. Firewood per Stove/Wall Angithi/Tandoor per working day OR 24 Kgs. Firewood per Stove/Wall Angithi/ Tandoor per working day
II. Charcoal (where charcoal is used)	5 Kgs. (five Kgs.) charcoal per fire-place/Angithi per working day

2. This is in partial modification of the instructions issued *vide* this Departments letter No. 8-6/67-Rev.II, dated 2-11-1968, 26-11-1974 and 8-4-1976.

3. This issues with the prior concurrence of Finance Department obtained *vide* their U.O. No.646 - Fin (C)-(B) (15)-6/87, dated 31-3-1993.

[H.P. Govt., Revenue Deptt., letter No. Rev. A (G) 8-1 /92, dated the 9th July, 1993]

(c) In continuation to this Department's letter of even number, dated the 10th December, 1965 *(Not printed)* on the above noted subject, it has been decided by the H.P. Government that duration of winter period for the use of charcoal and fuel in Government offices located in the Districts of H.P. be fixed as under:-

(i) For all offices located in districts of H.P.(except Kinnaur and Lahaul & Spiti Districts and Pangi Tehsil of Chamba District) from 1st November to 31st March each year.

(ii) For Kinnaur and Lahaul and Spiti Districts and Pangi. Tehsil of Chamba District from 1st October to the end of April every year subject (in the months of October and April) to the Deputy Commissioner concerned being satisfied that the weather conditions are not so unusually warm as to render the use of coal/fuel unnecessary.

[H.P. Govt., Revenue Deptt., letter No.3-8/65-Rev., dated the 11th September, 1967]

(d) *Point raised.*—In your letter No.3-8/86-Rev., dated the 11th September, 1967, the winter period for the use of coal and fuel in Government offices has been prescribed. Kindly intimate as to whether these orders continue to be applicable or these have been revised.

Sometimes the weather becomes extremely cold even in October and April for a few days and as such it may kindly be advised as to whether in such circumstances burning of coal and fuel can be allowed during April or before November.

स्पष्टीकरण. – उपरोक्त विषय पर मुझे यह कहने का निर्देश हुआ है कि कार्यालियों में कोयला एवं अगीठियां जलाने की सीमा पूर्ववत् ही है उसमें कोई संशोधन नहीं किया गया है!

इसके अतिरिक्त अक्तूबर तथा अप्रैल के महीनों के लिए भी समय सीमा में कोई विशेप प्रावधान नहीं है!

[H.P. Govt., Revenue Deptt., letter No.8-6/67-Rev-Kha(Part III), dated the 25th March, 1988 in reply to AccountsOfficer (Hqrs), HRTC, Shimla letter No.2-17(Sty) 84-85-Hot & Cold, dated the 5th March, 1988]

(7-A) Fuelwood, charcoal and timber to be purchased from H.P. State Forest Corporation.— (a) I am directed to say that tit has been decided by the Department that all departments in H. P. will purchase fuelwood/charcoal and timber from, the depots of the H.P. State Forest Corporation on the rates fixed by the Corporation and no timber, fuelwood/charcoal will be purchased by the departments concerned from the private parties. You are, therefore, requested to take further necessary action in the matter accordingly.

[H.P. Govt., Forest Deptt., letter No. Fts . (F) 12-1/88, dated the 23rd August, 1993]

(b) मुझे उपरोक्त विषय पर इस विभाग के सम संख्यक पत्र दिनांक 23–8–1993 के क्रम में यह कहने का निदेश हुआ है कि भविष्य में भी लकड़ी/ कोयला हि0 प्र0 राज्य वन निगम ही सप्लाई करेगा!

विभागध्यक्षों/ उपायुक्तों को समस्त आईटमस की अपने विभाग व जिले की एकत्रित मांग निदेशक (साउथ) राज्य वन निगम, ह0 प्र0 शिमला-2 को मई–जून मास तक भेजनी होगी ! यदि

मांग इस के बाद आएगी तो निगम सप्लाई करने की स्थिति में न होगा, क्योंकि मैटीरियल इकटठा करने में निगम को 3/4 माह का समय चाहिए!

[हि0 प्र0 सरकार, वन विभाग, पत्र संख्या वन (फ) 12.1/88, दिनांक 2 मार्च, 1994]

(c) I am directed to state that it has been decided by the Government that in future all timber and fuelwood consuming Departments especially Public Works and Local Self Government Department shall place their demand of fuelwood/timber with the H.P. State Forest Corporation and in case their demand is not met by the Corporation, the permission to procure the above material from other sources can only be given after obtaining the no objection certificate from the H.P. State Forest Corporation. It has the approval of the Hon'ble Chief Minister.

2. Please acknowledge the receipt of this letter.

[H.P. Govt., Forest Farming & Conservation Deptt., letter No. Fts. (F) 12-31/83-Loose, dated the 21st March, 1996]

(8) To lighten the stoves/angithies and to perform the allied work relating to this job forms part of duties of sweeper.— See para 15.5.2 (10) of H.P. Office Manual [2nd Edition].

(9) No coloured telephones.— I am directed to state that a few instances have come to the notice of the Government that coloured telephones have been installed in the offices/residences of the officers of the Government even below the level of Secretaries to Government without obtaining the concurrence of the Finance Department. This has resulted in additional expenditure on the State exchequer.

2. It is, therefore requested that immediate necessary instructions may kindly be issued to all officers under your administrative control to the effect that coloured telephone instruments are not to be installed at Government cost in the offices as well as residences of the officers below the rank of Secretary to Government in future.

[H.P. Govt., F.D., letter No.12-1/71-Fin (Genl) IV, dated the 11th/12th December, 1975]

(10) No cellular (mobile) phones or pagers to be purchased and no I.S.D. to be allowed on Government telephones.— (a) With a view to control expenditure on Government telephones, it has been decided that no Administrative Department shall allow sanction for purchase of cellular (Mobile) phones or Pagers. No ISD (International Straight Dialling) shall be allowed on any Government telephone, without the prior written permission, obtained from Hon'ble Chief Minister through the Finance Department and Chief Secretary. Administrative Departments shall also review STD facilities on all official telephones. All Secretaries, Heads of Department and other officers to whom STD facility has been allowed, will keep a strict watch on the use of this facility and will ensure that dynamic locking system services for electronic telephone exchanges are made.

2. These instructions shall apply to all State Public Undertakings (Boards and Corporations) as well as Autonomous Institutions receiving State Government budgetary support such as Universities, etc.

[H.P. Govt., F.D., O.M. No. Fin. I. C. (14) 1/83, dated the 10th February, 1997]

(b) Kindly refer to F.D's letter No. Fin-I-C (14) 1/83 dated the 10th of Fabruary, 1997 regarding control in expenditure on Govt. telephones. It had been emphasised that no Administrative Department shall allow sanction of Cellular (Mobile) Phones or Pagers. No I.S.D facilities are to be allowed without the prior written approval of the Hon'ble Chief Minister throuth F.D. and Chief Secretary. Strict watch has to be kept on use of S.T.D. facility.

2. The instructions contained in the above mentioned letter are again reiterated with the request that situation may kindly be reviewed periodically to ensure that these instructions are complied with in letter and spirit.

[H.P. Govt., F.D., letter No. Fin. I-C (14) 1/83, dated the 19th August. 1997]

(11) आवासीय दूरभापों से वार्पिक लोकल काल्ज् की सीमा.–– (a) उपरोक्त विपय पर इस विभाग के पत्र सख्याः वित्त–1–सी (14)–1/81 दिनांक 25–7–1985 के प्रसंग को जारी रखते हुए मूझे यह कहने का निदेश हुआ है कि सरकार ने अब आवासीय दूरभाषों की वार्पिक लोकल काल्ज़ की सीमा निम्न अनुसार बढ़ाने का निर्णय लिया है जो कि 1-4-1993 से तुरन्त लागु होगी :–

क्रम संख्या	श्रेणी	वर्तमान सीमा	संशोधित सीमा
1.	मुख्य मंत्री, अन्य मंत्री, मुख्य सचिव, अतिरिक्त मुख्य सचिव तथा मुख्य मंत्री के प्रधान सचिव	———	कोई सीमा नहीं
2.	सभी वित्तायुक्त, सचिव (वित्त), सचिव (गृह)/ सचिव कार्मिक/सचिव (सामन्य प्रशासन) तथा अतिरिक्त (समान्य प्रशासन)	8010	15000
3.	सभी सचिव (कम		

क्रम संख्या	श्रेणी	वर्तमान सीमा	संशोधित सीमा
	संख्या 2 के अतिरिक्त)/ विशेष सचिव/ अविरिक्त सचिव/ प्रबन्ध निदेशक/ उपायुक्त/ विभागाध्यक्ष (वन/ लोक निर्माण / स्वास्थ्य/ शिक्षा) तथा उपमहा निरीक्षक पुलिस	8010	12000
4.	उपरोक्त क्रम संख्या 3 के अतिरिक्त अन्य सभी विभागाध्यक्ष/ पुलिस अधीक्षक/ संयुक्त सचिव तथा मंत्रियों एवं मुख्य सचिव के निजि सचिव	6000	9000
5.	अन्य अधिकारी	3900	5000

[हि0 प्र0 सरकार, वित्त विभाग, पत्र संख्या वित्त–1–सी (14)/93–भाग–1, दिनांक 13 अक्तूबर, 1993]

(b) Calls in excess of the limit prescribed above will have to be paid by the officer himself.

[Extract from H.P. Govt., F.D., O.M. No. Fin 1-C (14) 1/81, dated the 19th August, 1982]

(c) The calls would be calculated with reference to the telephone number held by a particular officer and if the telephone number changes in mid-year, the new number will be considered as the relevant telephone for that particular period.

[Extract from H.P. Govt., F.D., O.M. No. Fin. 1-C (14) - 1/81, dated the 25th July, 1985]

(b) सरकारी अधिकारियों के प्रशिक्षण या छुट्टी पर चले जाने के उपरान्त उन के घरों पर लगे दूरभाषों के प्रयोग का मामला सरकार के विचाराधीन था! टब यह निश्चय किया गया

है कि छुट्टी या प्रशिक्षण के दौरान दूरभाषों के प्रयोग हेतु निम्नलिखित निदेश दिये जाते है जिन पर पूरा–पूरा अमल किया जाये:–

1. जब कोई अधिकारी जिसके धर पर सरकारी टेलीफोन लगा हो छुट्टी या प्रशिक्षण पर छः महीने की अवधि से कम के लिए जाता है तो असे छुट्टी या प्रशिक्षण के दौरान मुफत काल्ज़ की वही सुविधा प्राप्त होगी जो कि उसे छुट्टी या प्रशिक्षण पर जाने से तुरन्त पहले प्राप्त थी!

2. जब ऐसा अधिकारी छुट्टी या प्रशिक्षण पर छः महीने या इस से अधिक अवधि के लिए जाता है तो छः महीने की अवधि के बाद सरकारी खर्चे पर मुफत काल्ज़ की सुविधा प्राप्त नहीं होगी और की गई काल्ज़ का खर्चा उसे अपनी जेब से अदा करना होगा

[हि० प्र० सरकार, वित्त विभाग, पत्र संख्या फिन (डी) (एफ)–13–1 29, दिनांक 24–9–1979]

(e) The undersigned is directed to refer to the subject noted above and to say that the Government has already issued instructions fixing limit on the local calls that can be made free of cost from the official telephones provided at the residences of Government officers *vide* this Departments O.M. of even number dated the 19th August, 1982. If has further been made clear that calls in excess of the limit prescribed will have to be paid by the officer concerned himself. Despite clear instructions, references are being received in the Finance Department from various quarters for exemption from payment on account of excess calls made from the residential telephones. In case such exemptions are granted, the very purpose of putting a ceiling an free calls stands defeated. It is, therefore, again requested that instructions in regard to the ceiling on free local calls from residential telephones provided at Government expense should be strictly adhered to. Finance Department would not entertain any proposal for relaxation in this limit unless there are exceptional circumstances to do so and in that case full details of calls authenticated with entries in a proper register with purpose of each cell will be furnished while immediately referring any case to Finance Department.

[H.P. Govt., F.D., O.M. No. Fin. 1-C (14) -1/82, dated the 9th May, 1983]

(f) In continuation of this Department Office Memorandum No. Fin-1-C (14) 1/82, dated the 9th May, 1983, on the above subject, the undersigned is to say that the officers who have to make STD calls to Delhi or elsewhere from their residential telephones may maintain a register and enter in it the No. and name (with designation) called, the time, date, duration and purpose of calls. Only on the basis of entries in such a register, the Finance Department would consider a proposal for exceeding the prescribed limit of calls on residential telephone. The cases for the regularisation of extra calls made on the residential telephones should be sent to the Finance Department (D Section) only if :-

(i) Administrative Secretary of the Department is himself satisfied on the basis of entries in such a register that the S.T.D. calls were justified and could not be avoided in the exigencies of public service or alternatively by trunk booking; and

(ii) an attested copy of relevant entries from the register relied upon for exceeding the prescribed limit has been placed on the case file.

[H.P. Govt., F.D., O.M. No. Fin -I-C (14) 1/82, dated the 28th February, 1984]

(g) प्रायः यह देखने में आया है कि निर्धारित सीमा से उपर की गई काल्ज़ को मुआफ करने के लिए कुछ मामले अब भी वित्त विभाग के विचारार्थ भेजे जा रहे है! सरकार ने इस प्रवृति को गम्भीरता से लिया है तथा यह निर्णय लिया गया है कि भविष्य में किसी भी अधिकारी द्वारा निर्धारित सीमा से उपर की गई काल्ज़ को किसी भी हालत में मुआफ नहीं किया जायेगा।

अतः आप से पुनः अनुरोध है कि उपरोक्त हिदायतों बारे सभी सम्बन्धित अधिकारियों का अवगत किया जाये तथा इन पर कड़ाई से पालन किया जाये!

[हि0 प्र0 सरकार, वित्त विभाग, पत्र संख्या वित्त–एफ–1सी (17) 3/91, दिनांक 7 मार्च, 1992]

(12) राज्य अतिथियों द्वारा ट्रंक काल या फोन के बारे में.–– उपरोक्त विषय पर मुझे यह कहना है कि नये राज्य अतिथि नियम 1990 जो हाल ही में असाधारण राजपत्र में 24–11–1990 को प्रकाशित किये गये हैं, के अनुसार राष्ट्रपति, उपराष्ट्रपति तथा प्रधानमन्त्री को छोड़कर किसी भी अन्य राज्य अतिथि द्वारा या इनके आये साथ दल कि सदस्य द्वारा की गई किसी भी ट्रंक/टैलिफोन काल का खर्चा राज्य द्वारा देय नही होगा तथा यह व्यय अतिथि द्वारा ही देय होगा ! अतः इसे मध्य नज़र रखते हुए टैलिफोन के बिलों का भुगतान राज्य अतिथियों से उसी समय ले लिया जाये अन्यथा इसकी अनुमति सरकार द्वारा नहीं दी जायेगी।

[H.P. Govt., G.A.D., letter No. GAD-A(A)-9-94/90, dated the 2 nd April, 1991]

(13) Telephone Register for trunk calls.— The Telephone Register has to be in the following format:-

Sl.No.	Date and time of booking the trunk call	Name of station, telephone Number & PP	Whether official or private	If official give purpose of the trunk call	Whether matured, if so, time of maturing	Amount of trunk call bill	Date of verification of offical bill otherwise date of payment for private calls
1	2	3	4	5	6	7	8

[Extract from Para 13.1.10 of H.P. Office Manual (2nd Edition)]

(14) Legal charges including pleader's fee in lower courts to be sanctioned and borne by the Department to which the case pertains and those in respect of cases in the High Court and Supreme Court to be met by the Advocate General and Law Department respectively.— (a) Normally in court cases before the lower courts, the District Attorney or the Assistant District Attorney represent the Government. Likewise in the cases before the High Court and Administrative Tribunal, the Advocate General, or the Additional/Deputy or Assistant Advocate General as authorised by the Advocate General represent the Government. For cases in the Supreme Court, the Government have an approved panel of Advocates to defend the Government and the opinion of the Law Department may be sought as to which of the Advocates is to be engaged in the Supreme Court.

In certain important cases, however, private counsel might have to be engaged for cases before the lower courts, the High Court and the Administrative Tribunal. Further in the cases before the Supreme Court, the Government may have to engage an eminent senior counsel. The importance of the case and the decision to engage private counsel or senior counsel is to be taken by the Department concerned in consultation with the Law Department and with the approval of the Government. While seeking such approval, the need for engaging a particular private counsel or senior counsel and the importance of the matter is to be indicated by the Department concerned.

Before engaging private counsel in a Government case, the terms of engagement viz., counsel fee, clerkage, consultation fee or conference fee etc. should be obtained from the private counsel or settled by a senior functionary and thereafter got concurred in by the Law Department and approved from the Government in the Administrative Department concerned. After the Government approval, acceptance of the terms and conditions of engagement should be communicated to the private counsel and the Advocate General with a copy to the Home Department. It should be ensured that the fees or other charges are not abnormally high in comparison with similar other cases.

[Paras 16.6.1, 16.6.2 and 16.6.3 of H.P. Office Manual (2nd Edition)]

(b) The legal charges including pleader's fee for instituting and for depending suits, etc. being unspecified expenditure will be covered under Serial No.1 below Rule 19.6 of H.P. Financial Rules, Vol. I *(now under Order (1) below Rule 19.5)*. The Heads of Departments etc. are, therefore, empowered to incur expenditure in this behalf. They will, however, have to get the amount of fee assessed by the Legal Remembrancer in accordance with the Law Department Manual.

[H.P. Govt., F.D., U.O. No. 1-4/71 -Fin (Reg.), dated the 26th August, 1974]

(c) Expenditure on fees of Advocate General and other private lawyers engaged for Government cases in the High Court is a legitimate charge on aforesaid Head of Account *(2014 - Administration of Justice - (e) Legal Advisers and Counsels - (e) (i) Advocate General)* to be authorised by the Advocate General under the powers vested in him *vide* Serial Nos. 74 and 75 below Rule 19.6 *(now under Order (I) below Rule 19.5)*. In other words it is only in respect of cases pertaining to courts other than the High Court that the expenditure on Counsel Fees is to be met and authorised by the Department/Office to which the case pertains.

[H.P. Govt., F.D., U.O. No 1-4/71 - Fin (Reg.), dated the 1st /2nd January, 1975]

(d) All payments for lawyers engaged for Government cases in the Supreme Court will now he made by the Law Department and none else.

[Last para of H.P. Govt., F.D., letter No. Fin. G (C) (3) I-193/86, dated the 20th November, 1986]

(e) The Government has also taken a decision to place some funds at the disposal of the District Attorney (Legal Cell), New Delhi so that he can meet the legal expenses arising out -of the day to day need of the Cell as the different departments send the preliminary fees late and in that eventuality limitation is likely to expire.

It has, therefore, been decided that practice of taking preliminary expenses towards filing the appeals etc. by the departments be discontinued completely as it would involve extra expenditure of depositing money by the departments at Delhi and seeding their representative and thus the purpose of creation of the Cell would be defeated.

The instructions issued *vide* this Departments letter of even number dated the 12th March, 1987 *(to the effect that preliminary expenses like clerkage, typing, stamp charges, etc. in respect of cases in the Supreme Court may be paid by the departments from within their sanctioned budget as per practice in vogue)* are hereby withdrawn with immediate effect.

[H.P. Govt., F.D., letter No. Fin. G (C) (3)-I-193/86, dated the 10th January, 1989]

(f) Instances have come to the notice of the undersigned that the lawyers so engaged for the conduct/defence of the case in the Supreme Court by the Law Department are changed by the representative of the Administrative Department concerned without the prior approval of the Law Department which is against the instructions issued by this Department from time to time.

While referring the matter for the engagement of a counsel in a particular case, keeping in new of the importance, it should be specifically indicated whether the lawyer is required to be engaged out it the panel of the lawyers so maintained in the Law Department and if the Administrative Department intend to engage a particular lawyer in a particular case then it should specifically state the name of that advocate indicating the interest involved of the State Government in that case so that necessary approval is taken well in time. If the representative of any Administrative Department engages any lawyer without the approval of the Law Department, the officer, who engaged such lawyer, will be personally responsible and the Law Department will not make the payment of fees to such lawyer.

The above instructions may be brought to the notice of all concerned for strict compliance.

[H.P. Govt., Law Deptt., letter No. LLR-B (14)-23/92-III, dated the 17th November, 1995]

(g) The bills of private counsel are to be received in the Administrative Department concerned, which has to verify the charges with the actual time/sittings of consultations or conferences and actual days of appearances in the court. The bills are to be processed by the Administrative Department concerned for verification and thereafter sent to the Advocate General (after retaining photostat copy in Administrative Department) for making payment. The payment of bills of private counsel in the case of matters before the High Court and Administrative Tribunal is to be made by the Advocate General, whereas in the cases before lower courts the payment to private counsel is to be made by the respective departments.

The bills of private counsel fee and other charges for cases in the Supreme Court are received in the Administrative Departments who have to thoroughly verify and send the bills to the Law Department for payment. For the purpose of their record the Administrative Departments should retain photostat copies of all bills sent to the Law Department.

[Para 16.6.4 of H.P. Office Manual (2nd Edition)]

(15) Defending contempt petitions.— (a) If action on orders of courts is taken in time or extension of time limit is duly sought, there will generally be no occasion for facing a notice of contempt. But in a rare case where the order or judgement of a court is not implemented in time the affected person might file a petition claiming contempt of court. In all such cases the following action should be taken :-

(i) The case file should be thoroughly looked into and if any part or whole of the orders/instructions or judgement remain to be implemented, the matter should be expeditiously processed and orders complied with without delay. The court will have to be convinced of the reasons for non-implementation or delay in implementation of the order in such a case;

(ii) Immediate action should be taken by the officer cited for contempt of court to engage counsel for his defence with the approval of the Government for bearing reasonable expenses of counsel fee. The counsel fee should be settled and got approved from the Government in consultation with the Law Department or as per norms approved. The counsel fee will be reimbursed by the Government if the contempt notice was for an act done by the officer in the discharge of his official duties and in the public interest and there had been no intentional disobedience on his part of the court's orders;

(iii) Reply to the contempt petition should be prepared and got vetted from the counsel and filed in the court.

[Para 16.5.3 of H.P. Office Manual (2nd Edition)]

(b) I am directed to say that a meeting was held under the chairmanship of the Chief Secretary on 18-5-1996 in connection with contempt cases pending in various courts against the officer(s) of the Government. The matter was discussed in all its ramifications and Advocate General agreed that in all cases where show cause notice/contempt petition is issued to an officer, in that case Advocate General shall defend the officer. However, in cases where contempt proceedings are initiated, the concerned officer shall be defended by a counsel/advocate to be engaged by him as per present practice.

2. The above instructions may please be brought to the notice of all concerned.

3. The above instructions supersede the earlier instructions to this extent.

4. Please acknowledge its receipt.

[H.P. Govt., Law Deptt., letter No. LLR-E (9) 5/90, dated the 9th July, 1996]

(c) I am directed to invite your attention to this department letter of even number dated 9-7-1996 on the subject cited above and to clarify that Law Officers cannot appear in contempt proceedings against the officers who are proceeded against by name due to some legal implications. It is further made clear that in show cause notice/contempt petitions the Advocate General/ Law Officer of the State will appear on behalf of the officer who is being proceeded against in contempt proceedings in official designation.

2. This may please be bought to the notice of all concerned.

[H.P. Govt., Law Deptt., letter No. LLR-E (9) 5/90, dated the 13th August, 1996]

(d) I have been directed to say that instances have come to the notice of Government that various Departments of the Pradesh do not take prior permission relating to the defence of contempt petitions in the court(s) and resultantly refer the cases to this Department for obtaining "*ex-post-facto*" sanction, which is against the prescribed/approved policy of the Government. In order to avoid this practice, the Government has decided that in future no "*ex-post-facto*" sanction will be accorded in any shape. Henceforth prior permission of the Law Department shall be necessary.

2. These instructions be adhered to strictly and brought to the notice of your subordinate offices.

3. Please acknowledge the receipt.

[H.P.Govt., Law Deptt., letter No. LLR-E(9)5/90, dated the 30 th September, 1997]

(16) Government servants involved in legal proceedings—Provision for legal and financial assistance.— See Decisions below Rule 19 of C.C.S. (Conduct) Rule, 1964.

(17) Claims for reimbursement of costs incurred in defending legal proceedings—Proforma for making reference to the H.P. Public Service Commission under Article 320 (3) (d) of the Constitution.— See H.P.P.S.C. Form 30 *[Not reproduced here]*

(18) Claims for reimbursement of costs incurred in defending legal proceedings—Scale of lawyer's fee.— (a) It has been noticed that the officers/officials while discharging their duties in good faith are involved in civil/ criminal cases by the litigants and the State Government has to issue sanction for their defence at public expenses, where it is considered necessary. The officers/officials who are allowed to defend the case at public expenses such officers/officials are at liberty to engage private lawyer of their own choice and also entitled for reimbursement of reasonable fees. In such cases, it has been observed that the officers/officials who are allowed to engage the private lawyer of their own choice, engaged the lawyer at exorbitant fees and submit their claim for reimbursement. In order to check the excess payment of fee to lawyers who are engaged by the officers/officials for their defence at public expenses, it has been decided that fees will be assessed by the L.R.-cum-Secretary (Law) in the following manner :-

TIER	EXPERIENCE OF ADVOCATE	FEES PAYABLE
1st	The Lawyer having less than 10 years experience and Advocate after enrolment.	Rs.1,500
2nd	The lawyers having more than 10 years experience and having good reputation at Bar.	Rs.2,500
3rd	Senior counsels/lawyers having experience in specific branch of law.	Rs.3,500

NOTE : Senior counsel means an Advocate who has put in 10 years practice in the High Court and having good reputation in the Bar.

However, where the work is attended in Writ/Petition/Suit/Applications etc. by more than one lawyer, the fees will be reimbursed in the following manner :-

1.	Filing of Civil Suits in the High Court/ admission of the Civil Writ Petition/regular 1st appeal/Filing of reply in civil suit/C. W. P./ appeal /contempt petition etc.	=1/3 rd fees
2.	Presentation of evidence and contradicting the evidence of the other parties in civil suit/filing misc. applications in L.P.A./C.W.P./contempt petition till the final stage of argument on behalf of both the parties.	=1/3 rd fees
3.	Argument upto the final decision of the court..	=1/3 rd fees

EXPLANATION. In case more than one lawyer appeared in any stage then the 1/3rd fees payable for that stage will be paid for the hearing(s) as worked as per hearing of that stage.

I am further to request you that while submitting the claim for reimbursement of the fees, the following information should invariably be submitted with the claim in order to enable the L.R.-cum-Secretary (Law) to assess reasonability of the fees in the case :-

1. name of the advocate and the date of enrolment in the Bar and also state whether he is a Sr. counsel or has obtained experience in specific branch of law;

2. copy of the reply filed in the case;

3. copy of the judgement delivered by the court;

4. the effective hearing attended by the lawyer; and

5. the work done by the lawyer in such case.

It is, therefore, requested that the above information may please be brought to the notice of all officers/officials under your control for compliance.

[H.P. Govt., Law Deptt., letter No. LIR-E (10) 3/93, dated the 28th July, 1994]

(b) Correspondence resting with this Department's letter of even number dated the 28th July, 1994 on the subject above, I am directed to say that it has been decided now that the Administrative Departments shall assess the fees of the private Advocates which were/are engaged by the officers/officials in their defence after obtaining the sanction of the State Government to defend themselves at public expense on the norms of fees as laid down in the above referred letter, provided that they have acted in discharge of official duty in good faith and the court has not passed any adverse remarks against the officer/officials concerned in the contempt petition/civil suits etc.

2. It is, therefore, requested that in future where the sanction to defend an officer/official has been issued by the State Government at public expense, the Administrative Department shall assess the fees of the private advocates at their own level strictly in accordance with the norms as laid down in this Department's letter of even number dated 28-7-1994, and pay the same to such Advocate at their own level.

3. Please acknowledge the receipt of this communication.

[H.P. Govt., Law Deptt., letter No. LLR-E (10)-3/93, dated the 8th December, 1995]

(19) All correspondence with the High Court to be addressed to its Registrar.— I am directed to say that instances have been brought to the notice of the Government by the Registrar, High Court of H.P., wherein the correspondence is being directly addressed to the Hon'ble Chief Justice/ Hon'ble Judges of High Court of H.P. by the Secretaries/Heads of Departments and their subordinate officers. This is highly in contravention of H.P. High Court Orders and Rules and has been seriously viewed by the Government.

2. I am accordingly to request that in future all correspondence may invariably be addressed to the Registrar, High Court of H.P. and no correspondence may be addressed/endorsed either to the Hon'ble Chief Justice or the Hon'ble Judges of the High Court directly.

3. These instructions may be brought to the notice of all concerned and adhered to strictly. Any such recurrence of lapses will be viewed seriously in future.

4. The receipt of this communication may please be acknowledged.

[H.P. Govt., G.A.D., letter No. GAD-A(F)10-9/96, dated the 2nd December, 1996]

(20) Norms for fixation of emoluments of employees appointed as whole time contingent paid against Class IV posts.— (a) I am directed to say that clarification has been sought by some Deputy Commissioners as to how the emoluments of employee paid out of Contingencies are to be fixed, keeping in view the revision of pay-scales of regular employees recently ordered by the State Government with effect from 1.1.1978. It has been decided by the Government that the guidelines laid down *vide* this Department's letter No. 15-4/71-FIN(R&E), dated the 9th October, 1972, shall continue to be observed by the Deputy Commissioners while exercising powers delegated to them for fixing the pay of such employees belonging to Class IV establishment except that the maximum emoluments payable will be worked out on the minimum of the scale of Rs. 300–430 which is the lowest scale prescribed for Class IV employees borne on regular establishment. As heretofore, such employees will continue to get fixed pay plus dearness allowance and compensatory allowance at the same rate and in the same manner as are prescribed for Class IV employees belonging to regular establishment, and not pay in the running scale. In this connection, the clarification contained in this Department's Office Memorandum No. 1-3/73-Fin (Reg.) dated the 2nd Sept., 1975, addressed to all Administrative Departments, with copies to Heads of Departments, as also to the Deputy Commissioners, etc. shall be kept in view. That is, the term 'employees paid from contingencies' does not cover employees who fall in the category of Class III and above.

2. The same will be the principle for determining the rates of remuneration for part-time employees, i.e. it should be fixed on the basis of the time one has to put in regularly and the hourly rates so fixed should not exceed the average hourly emoluments of a whole-time contingent-paid employee doing the same type of work. For example, the total emoluments of a sweeper who has to put in two hours' work daily should not exceed the amount of Rs. 110/- p.m. in case an employee of this category putting in 8 hours' duty is getting Rs. 440 p.m.

3. In the case of workers who are governed by the labour laws their wages shall continue to be determined under the Minimum Wages Act and the rules issued thereunder.

4. It is further made clear that the emoluments of the contingent - paid employees shall be determined under these revised instructions with effect from 1st June, 1980 and not from any date previous thereto.

[H.P.Govt., F.D. letter No. Fin(C) B (7)-57/80, dated the 18th June, 1980]

(b) In continuation of this department's letter of even number, dated the 18th June, 1980, on the above cited subject, I am directed to state that in para 3 of that communication, it was made clear that in the case of workers who are governed by Labour Laws, their wages shall continue to be determined under the Minimum Wages Act and the Rules issued thereunder, as was the position prior to the issue of revised guidelines of 18th June, 1980. The term 'Class IV employees paid from contingencies' used in that communication is meant to cover only employees whose services are required in offices only and who are not governed by the labour laws. In certain establishments/offices, Class IV employees paid from contingencies failing under the category of skilled/ unskilled, though not directly being governed by labour laws, have also to be engaged. It is clarified that in fixing the wages of such employees, it must be ensured that their wages do not exceed those prescribed for the corresponding category of employees under the Minimum Wages Act and Rules issued thereunder by the Government for the department concerned.

[H.P. Govt., F.D., letter No. Fin (C)-B(7)-57/80 dated the 19th August, 1980]

(c) In supersession of all previous instructions issued from time to time in this behalf, I am directed to say that the revision of policy with regard to the appointment of casual/daily paid workers and fixation of emoluments thereof is under consideration of the Government. A detailed guideline in this behalf will be issued shortly which is proposed to be given effect from 1-4-1990. Pending issue of revised guidelines as envisaged above, I am directed to convey the following decision taken by the Government in this behalf.

1) the powers of the Deputy Commissioners for fixing the daily rates of Class IV employees charged to the "Wages" are withdrawn with immediate effect.

[H.P.Govt., F.D., letter No. Fin(C) B(7)-57/80-III, dated the 22nd March, 1990]

(d) With reference to the clarifications sought for by various departments with regard to the norms for fixation of emoluments of the employees appointed as whole time contingent paid against Class-IV posts, the undersigned is directed to state that after the withdrawal of powers of the Deputy Commissioners for fixation of emoluments in respect of casual/daily paid employees *vide* this Department's letter of even number dated 22.3.1990, there had not been any uniformity for fixation of emoluments/wages to the whole-time, contingent paid employees (now charged to sub-head "Wages") in various Departments. The method of computing emoluments of an employee paid from contingencies as laid down in this Department's letter No. Fin (C) B(7)-57/80, dated 18.6.1980 read with O.M. dated 27.4.1984 has been as under:-

i) Minimum of the pay scale admissible to Class-IV staff on regular establishment (presently, it is Rs. 750 P.M.)

ii) D.A. which may be worked out on the component at Sr. No. (i) above.

iii) C.A. which may work out on the component at Sr. No. 1 above at the rates in operation for Class-IV employees on regular establishment from time to time.

The total sum of above three components is emoluments payable every month to an employee falling in the category of whole time contingent paid (presently charged to the sub-head "Wages"). The emoluments so determined shall remain static for a financial year.

2. The wages/emoluments of such categories of the employees used to be fixed by the Deputy Commissioners for their respective Districts every year on the above mentioned guidelines until the withdrawal of such powers by the Government in March, 1990. Since the orders of D.A. issued by the Finance Department are not applicable to the staff employed as whole time contingent paid categories, the Departments are allowing D.A. to such categories at different rates resulting in representations to Government from various Associations. In order to have uniformity in the determination of emoluments in respect of such categories of employees, the undersigned is directed to clarify the following points of doubt indicated below :—

POINTS	CLARIFICATION
1) What is the method of computing emoluments of an employee in category of whole time contingency paid (Class-IV)?	Aggregate of the components mentioned at Sr. No. (i) to (iii) under para-1 above constitute emoluments payable per month to the existing staff of such categories (now charged to sub-head "Wages"), provided the terms of engage-ment of such an employee so prescribed.
2) Whether capital allowance is admissible to the contingent paid employees posted at Shimla and its suburbs (Mashoba, Dhalli, Kasumpti, Taradevi, Jutogh & Totu)?	Yes please
3) Whether house rent allowance, Local Travelling-cum-Misc. and Medical Allow-ances are admissible to contingent paid (Class-IV) employees?	On emoluments worked out on the component at 1 above, no such allowances are admissible.
4) What is the scope of the term "whole-time contingent paid employee"?	The person engaged on whole time basis on emoluments at minimum of the pay scale of Class-IV against the posts sanctioned/continued on year to year basis by the Government
5) Whether the expenditure on such categories of employees is to be charged to "contingencies" now "O.E." or to sub-head "Wages"?	The expenditure on this account shall be charged to "Wages".

3. The contents of this Office Memorandum may please be brought to the notice of the concerned Departments/authorities for compliance and receipt of this Office Memorandum acknowledged.

[H.P. Govt., F.D., O.M. No. Fin(C) B(7)-57/80-IV, dated the 18th May, 1994]

(21) In offices having only one sweeper, part-time arrangements may be made when the sweeper is on casual/quarantine leave.— (a) It has been ruled that the State should not be put to any extra expense in consequence of the absence of an officer during holidays or on casual leave.

[G.I., F.D., No. 215, dated the 14th March, 1894]

(b) In offices having only one sweeper, part-time arrangements may be made when the sweeper is absent on casual leave and the part-time employee may be paid out of contingencies.

[G.I., M.F., O.M. No.F.I.(10)-Est.(Spl)/50, dated the 26th July, 1950]

(c) In offices having only one sweeper, part-time arrangement may be made when the sweeper is absent on quarantine leave and the part-time employee may be paid out of contingencies.

[G.I., M.F., O.M. No.F.5(30)-E.IV/51, dated the 22nd June, 1951]

(22) Articles required for one time use not to be purchased but to be borrowed from other Departments/Undertakings or hired from market.— a I am directed to state that some Departments/offices are not observing the instructions issued by this Department regarding economy in expenditure, in letter and spirit. It has been seen that funds are expended in wasteful and redundant expenditure which could easily be avoided in the interest of economy. For instance, one of the offices of H.P. Government recently purchased tarpaulins and jute matting etc. for a function, after the conclusion of which they have no further utility. Actually these articles should have been taken on loan basis from other Departments or on rent from the market. It has now been decided that in future articles required for one time use should not be purchased but a genuine attempt should be made to obtain them on a temporary basis from other Government Departments/Undertakings or to take them on rent from the market.

In view of the above, I am to request that above instructions may be strictly adhered to in future. The Finance Department shall be unable to accord sanction for expenditure on items such as those envisaged above.

[H.P. Govt., F.D.,O.M. No. Fin (F)-I-C(3) 37/84, dated the 6th February, 1985]

(23) Carriage and delivery of dak within and outside the office forms part of duties of peon but the maximum weight to be carried outside the office not to exceed ten kg.— See para 15.5.2 of H.P. Office Manual (2nd Edition).

(24) Incurring expenditure on obsequies or transportation of body of deceased Government employee.— There are/have been instances when sudden death of a Government servant took place while on duty/working in office. The question of meeting expenses for the cremation of the body, if there is no family, or kith or kin or, in the alternative, transporting the body to the native place of the deceased and handing it over to the nearest kith and kin, has been under consideration of the Government for some time past. The Governor, H.P. is now pleased to decide that expenditure between Rs. 50 and Rs. 300 in each individual case on obsequies or transportation of the body of the deceased Government employee who dies while working in office, may be incurred.

2. The detailed procedure for sanctioning expenditure shall be as follows :-

Sanctioning Authority.— The head of the office shall be the sanctioning authority.

Explanation. – The term 'head of office' shall mean —

i) in the case of Departments of the Secretariat and Heads of Departments and the offices in the Districts, the Head of the Department or office or in his absence the next officer-in-charge of the Department or office.

ii) in any other case, the immediate superior officer to the pay disbursing officer.

3. *Sanctioning of Expenditure.*— Subject to the minimum and maximum specified in these orders, the head of the office shall sanction such amount as he considers sufficient in each case of the death of a Government employee, while working in his office, on tour or on inspection, for meeting expenditure in connection with the performance of obsequies or the transportation charges of the dead body to the native or other place of the deceased Government employee, if the occasion so requires.

4. *Monetary Limit.*— The amount that may be sanctioned by the head of office for the purpose mentioned in para 2 above shall be not less than Rs. 50 and not more than Rs. 300 having due regard to the circumstances of each case. Before sanctioning the amount the head of the office shall obtain necessary particulars and satisfy himself about the quantum of amount to be sanctioned in each case.

5. *Production of certificate etc.*— The amount specified in paras 3 & 4 above may be drawn on production of death certificate to be given by the attending doctor, if any, at the time of the death of the Government employee and where there is no such doctor a statement of circumstances and reasons resulting in the death of the Government employee shall be produced, duly authenticated by the head of the office.

6. *Payment of amount.*— The amount sanctioned under these orders shall be paid to the nearest relative of the deceased Government employee or to the person lawfully in possession of the body of the Government employee, for purpose of performing obsequies, after obtaining due acknowledgement in this regard.

7. *Incidence of expenditure.*— The expenditure involved shall be met from the contingent provision of the Department or office concerned.

[H.P. Govt., F.D.,O.M. No. Fin (C)-C(10)-1/79, dated the 19th September, 1979]

(25) Advance payment to suppliers of stores.— (a) The undersigned is directed to state that rule 23 (ii) of the Procedure and Rules for the purchase of stores by all Departments and offices of the Government of H.P. as contained in Appendix 10 of H.P. Financial Rules, Vol. II, 1971 provides that 80% payment in respect of stores purchased through the Store Purchase Department shall be made to the suppliers immediately on production of :-

a) an inspection note signed by an officer of the Stores Organisation bearing the seal of his office which should clearly indicate that the goods were sealed in his presence in token of acceptance, and

b) railway receipts or goods receipts indicating that the consignment has been booked at Railway risk or at the risk of approved goods carriers.

2. The Governor, Himachal Pradesh, is pleased to decide that the Administrative Departments/Heads of Departments may make advance payments in such cases subject to the fulfilment of the following conditions :-

i) The advance payment is made on the basis of a valid expenditure sanction issued with the concurrence of competent authority.

ii) The amount of advance payment shall not exceed Rs. 10,000 in any one case.

iii) The amount of advance payment against contract for supply of stores shall be restricted to 80% of the cost of stores which have either been despatched or are being immediately sent and the payment is to be made after inspection of stores regarding quality and against proof of despatch. In case of service contracts, the amount of advance should not exceed the amount payable in one year under the contract.

iv) The firm should be well established and has reputation for fair dealing.

v) Adequate safeguards are provided to ensure Government interests and the administrative authority concerned should be fully satisfied on this account. If considered necessary, the firm may be required to execute an agreement stipulating the terms and conditions under which advance payment is being made, particularly where advance payment is proposed to be made without entering into a formal contract. Law Department may be consulted while drawing the form of agreement bond.

vi) The officer drawing the money for making advance payment to suppliers of stores shall be responsible for its adjustment for which purpose he will send the detailed bill to the Accounts Officer within a period of one month from the date of the drawal of advance. If an advance cannot be adjusted within one month of the drawal of advance, a detailed report should be sent to the Administrative Department concerned.

vii) A second advance shall not be drawn for making advance payment to a firm/supplier unless the earlier advance, if any, made to the same firm/supplier has been adjusted.

viii) The amount of advance shall be drawn on a simple receipt and accounted for under the final head to which the expenditure on supplies or services in question would be debited.

3. In cases involving a payment in excess of Rs. 10,000 in any case, proposals should be referred to the Finance Department in Expenditure Control Section concerned for concurrence.

4. As regards payment of balance amount, the procedure laid down in rule (iv) of the rules *ibid* shall be followed.

[H.P. Govt., F.D.,O.M. No. 1-7/72-Fin (R&E), dated the 15th June, 1973]

(b) The undersigned is directed to say that the words "80 per cent" appearing in the first line of Rule 23 (ii) of "Procedure and Rules for the Purchase of Stores by all Departments and Offices of the Government of Himachal Pradesh", circulated *vide* Finance Department Office Memorandum No. 1-7/72-Fin.(Reg.), dated the 15th May, 1972 and as incorporated in Appendix 10 to Himachal Pradesh Financial Rules, Vol. II, 1971 may be substituted by the words "90 per cent".

[H.P. Govt., F.D., O.M. No. 1-7/72-Fin. (Reg.)-Vol.II, dated the 16th August, 1974]

(26) **Purchase of Computer System.**— (a) I am directed to say that during the past few years purchases of Computer Systems have been increasing and Government has been actively encouraging computerisation of activities at all levels. A Five Year Perspective Plan for computerisation has been drawn up for collaboration between the State Government and NIC. A committee has also been set up under the chairmanship of Commissioner-cum-Secretary (Computerisation) for effecting co-ordination and rendering technical advice to State Government institutions *vide* notification of even number dated 27-5-1996. A similar mechanism has already been set up at the District level under the chairmanship of the Deputy Commissioner *vide* notification No. Per(AR) F(1)-1/94 dated 22-11-1994.

2. It has, however, been noticed that the mechanisms put in place are not being effectively utilised. In particular purchase of computer systems are sometimes being made without proper technical advice and without due consideration of requirements, data availability and software. It has, therefore, been decided that in future it may be ensured that —

(i) All requests to the Administrative Department/Finance Department for purchase of Computer Systems should be accompanied by a Systems Document giving details of the proposed uses, software specifications, hardware configuration and personnel re-deployment/trainings.

(ii) The Systems Document should be got approved from the State Level Committee set up *vide* notification of even number dated 27-5-1996.

It is however clarified that occasional purchases of individual stand alone machines or peripherals are not subject to the above procedure.

[Extract from H.P.Govt., Personnel Deptt., letter No. Per(AR) F (7)-26/96, dated the 26th December 1996]

(b) I am directed to refer to letter of even number dated 26-12-1996 and to say that it has come to notice that Departments are still purchasing computers without taking proper technical advice. Since in some cases the dsign and specifications etc. arer inappropriate, the computers are often untilised or under-utilised. In many cases evn installation takes months and years. Application software is often not properly developed and training of staff and data entry is not being done systematically. As a result the expenditure on purchase of expensive computers is not yielding the anticipated benefits.

2. Accordingly it has now been decided that:

i) Computer systems should be purchased only after approval of the State Level Committee for coordination and technical advice on computerisation set up *vide* Notification of even number dated 27-05-96 (copy attached). To operationlise the procedure, instructions have already been issued *vide* letter of even numbeer dated 26-12-96. Instructions havee separately been issued by Finance Department *vide* letter No. Fin. A.C. (17) - 4/ 97- Loose dated 27-8-1997 that in future no funds will be provided/ sanctioned by the Finance Department unless the proposal to purchase the computers is approved by the Committee. All such cases should be referred to Secretary (Computerisation) in the Department of Personnel (Administrative R forms). In this connection Finance Department has issuedinstructions *vide* letter No. 2763-Fin-F/97 dated 27-8-1997.

ii) Before the actual puchase and after approval of the Committee, site preparation and software develepment would first have to be initiated and order for purchase of hardware should be placed by the Department only after site preparation is welll under way and software and data are ready.

iii) Instructions are being separately issued by the Industries Department to HPSEDC not to honour supply orders which are not accompanied by the recommendations of the Committee regarding the specifications of the hardware.

iv) In order to ensure that site development is speedily carried out, it has been decided that in addition to HPSEDC, PWD/ PWD (Elec.) would also be authorised to carry out civil and elecrical works (including conduiting signal cabling, earthing, electrical wiring etc.) required for site preparation for installation of computer, on deposit work basis. Instructions are being issued separately by the PWD.

v) For technical advice on site preparation, the District Informatics Officer of the NIC located in the District Collectorates will be available and may be contacted.

vi) The HPSEDC and the NIC at State Headquarters will be available to give necessary assistance for preparation of the Systems Document.

3. As already clarified in letter of even number dated 26-12-96 occasional purchase of stand alone machines or peripherals are not subject to the above procedure.

[H.P. Govt., Personnel Deptt., letter No. Per (AR) F (7) -26/96 - I, dated the 1st September, 1997]

(c) I am directed to say that with a view to properly scrutinize the proposals for the puchase of computers or its accessories, it has been decided that whenever any such case is referred to the Finance Department, it may be routed through the Secretaray (Computerization).

This may kindly be brought to the notice of all concerned.

[H.P. Govt., F.D., letter No. 2763-Fin -F/97, dated the 27th August, 1997]

(d) I am directed to say that a State Computerisation Coordination Committee as been constituted under the chairmanship of Commissioner-cum-Secretary (Comp.) with Managing Director, H.P. State Electronics Development Corporation, State Information Officer, National Information Centre and others as members to advise Departments on their computerisation proposails. It has ben decided that in future no funds will be provided/ sanctioned by the Finance Department unless the proposal to purchase the computer is approved by the aforesaid Committee.

At present, the expenditure in respect of purchase of computer and annual maintenance war booked under " Office Expenses" Standared Object of Expenditure. It has come to the notice that Departments used to utilise the funds kept for Annual Maintenance Contract for other purposes first and Annual Maintenance Contract is the last priority. Keeping in view the above tendency, it has been decided that in future the funds on account of purchase/Annual Maintenance Contract should be demanded under specific Standared Object of Expenditures "66 .Computer & Photostat" Instead of "Office Expenses."

[H.P. Govt., F.D., letter No. Fin. A .C. (17) -4/97- Loose, dated the 27th August, 1997]

(e) In continuation of this Department's letter of even number dated the 1st September, 1997 on the subject cited above I am directed to say that in order to purchase computer systems, the following procedure would be followed in future :-

i) The HPSEDC will continue to be the nodal agency for purchase of computers.

ii) HPSEDC would strictly follow the Store Purchase Rules, call for tenders and finalise rates after technical evaluation. State Informatics Officer (NIC) may be associated in the technical evaluation. Standard NIT and Bid documents will be prepared by HPSEDC keeping in view the prevailing instructions on the rate contract.

iii) The approved rates alongwith detailed specifications, terms and conditions, warranty and AMC conditions etc. would be circulated to all Heads of Department/Deputy Commissioners/CEOs of Corporations and Boards as in case of Rate Contracts of Controller of Stores.

iv) Open tenders would be called at least once in a year and limited tenders three monthly (following Store Purchase procedures) to take advantage of the periodical reductions in rates and improvement in specifications.

v) Purchase orders by Departments would be placed on HPSEDC only after clearance by the Committee for Coordination and Technical advice on computerisation as per procedure laid down in letter No. Per(AR)F(7)-26/96-I dated 01.09.1997.

vi) In case of large scale orders from a single Department, notwithstanding an existing rate contract, a separate open tender shall be called and representative of that Department shall be associated with the Technical Evaluation Committee.

vii) In case, at any time, any Department wishes to make purchase of computers from some other sources for valid reasons, it shall obtain the approval of Chief Secretary through Finance Department after obtaining no objection from HPSEDC.

viii) The HPSEDC shall administer the AMC for the purchases and shall enter into separate contract for AMC rates. The AMC rates and terms shall be circulated alongwith appoved rates.

ix) The HPSEDC shall open a separate Complaint Cell with computerised monitoring facility and enter all complaints received from Govt. Departments.

x) The HPSEDC out of its service charges shall make arrangements for the purpose of supervising site preparation, installation, acceptance test, operation, maintenance and repair of computers supplied to the various Govt. Offices.

[H.P.Govt., Personnel Deptt., letter No. Per (AR)F(7)26/96-I, dated the 20th November, 1997]

(27) Compensation awards against State Government in criminal/ civil cases – Periodical review thereof.— It has come to the notice of the State Government that most of the cases of compensation both criminal as well as civil in which State Government has been impleaded as respondent, compensation amount is being announced at disproportionately inflated size for want of proper defence.

2. It has, therefore, been decided that all cases in which State is impleaded, may be scrutinised and analysed in the manner as under :-

a) Why the cases were lost?

b) If the compensation is to be paid, then is the compensation amount on the higher side?

c) Has the department contested the case/award of compensation and if not, why?

3. You are further requested that a committee may please be constituted at the level of Administrative Department in order to review such cases in respect of department(s) under their control periodically and decide the means at their own level to overcome the situation.

4. Please acknowledge receipt.

[H.P. Govt., Home Deptt., letter No. Home-B (Misc.) /93, dated the 17th February, 1995]

(28) Settlement of claims of compensation under "No Fault Liability" to the victims/dependants of persons involved in motor vehicle accidents - State Government vehicles.— I am directed to invite a reference to Transport Department letter No. 6-41/82 (Parivahn), dated the 5th January, 1983, on the above subject, and to say that a sum of Rs.5.00 lakhs has been provided in the State Budget, 1983-84 for payment of compensation under "No fault liability principle" in accordance with the provisions of law referred to therein. This provision has been made under head "288 - Social Security and Welfare-E-Other Social Security and Welfare Programmes-(f) Other Programmes -(f) (ix) Payment of compensation under no fault liability for motor accidents" and the amount has been kept at the disposal of Finance Department. You may kindly approach Finance Department for allocation of funds whenever a Government vehicle is involved and payment of compensation under "No fault liability principle" becomes a statutory liability. The cases should be sent to Finance "B" Section through the Administrative Department for this purpose.

[H.P. Govt., F.D., letter No Fin. I-C (I) 186/82, dated the 9th May, 1983]

(29) **No plying of Government vehicles on Mondays, no meetings on Mondays and no touring on Mondays.**— (a) No Government vehicle will ply on Mondays. To ensure this, it is important that meetings are not fixed and no touring is undertaken on these days. This shall not apply to emergency duties such as law and order, accidents etc. Ban on plying of Government vehicles on Mondays shall not apply during Vidhan Sabha Sessions, in case of official tour by Hon'ble C.M. and for heavy vehicles such as Trucks and Buses.

[Para I (I) of H.P. Govt., F.D., letter No. Fin. I-C-(14) 1/83, dated the 10th February, 1997]

(b) I am directed to refer to letter No. Fin-I-C (14) - 1/83, dated the 10th February, 1997 from the Department of Finance addressed to all the Administrative Secretaries and Heads of the Department in H.P. on the above subject.

2 It has come to the notice of the Government that some departmental vehicles are still being plied on Mondays inspite of Government orders not to ply them. It is the personal responsibility of the H.O.Ds. to ensure that Government instructions are complied with in letter and spirit.

3. You are, therefore, requested to ensure the implementation of the instructions referred above.

4. Kindly acknowledge receipt.

[H.P. Govt., G.A.D., letter No. GAD -A (F) 10 -4/97, dated the 5th June, 1997]

(c) It had been decided that the Government vehicles will not ply on Monday. The instructions were issued vide Finance Department letter No. Fin. 1.C(14)1/83 dated 10.2.97. Vide letter No. GAD-A(F)10-4/97 dated 5.6.97 it was again emphasised that Government vehicles should not ply on Monday and the instructions already issued should strictly be complied and it will be personal responsibility of HODs, who are required to ensure the compliance of Govt. instructions.

The reports are being received by the Government that some of the departments are still plying the vehicles on Monday despite Government instructions. Government has taken a serious view of these reports.

The Heads of the Departments are once again directed to ensure that no Government vehicles ply on Monday and Government instructions are strictly complied. The Secretary of the department will however be responsible for implementation of these instructions in the Departments under his control.

Kindly acknowledge receipt.

[H.P. Govt., G.A.D., letter No. GAD -A (F) 10 -4/97, dated the 27th August, 1997]

(d) In continuation of this Department's letter of even number dated the 27th October, 1995 on the subject cited above, I am directed to say that it has come to the notice of Government that no fixed working days have been specified for meeting the general public by the officers at the State headquarters as well as in the Directorates/ Districts; Generally the public visit the various offices on all working days but due to non availability of the officers they fail to get their grievances redressed.

2. In order, therefore, to abviate, in future, any difficulty being caused to the public in the redressal of their grievances, it has been decided that all officers should be available for meeting the public invariably on every working Monday and Tuesday; and that no officer should proceed on tour on these *two* days so as to ensure their presence at their respective headquarters.

3. These instructions may kindly be adhered to meticulously and the officers working under your control may also be advised accordingly in this behalf.

4. Kindly acknowldge the receipt.

[H.P. Govt., Personnel Deptt., letter No. Per (A-I) B (15) 7/86; dated the 21st August, 1997]

8.5. **Actual payees' receipts duly stamped, where necessary, showing full particulars of the charge should invariably be obtained when making payments of claims against Government.**

In order to avoid their being used again all such receipts, except those required to be submitted to the controlling officer and the audit officer, should be stamped "cancelled" , by the drawing officer at the time of initialling the entries relating to them in the contingent registers. The sub-vouchers submitted to the controlling officer which he is not required to forward to the audit office will be cancelled by him after check and the cancellation attested at the time of countersigning the bill.

Note 1.—A payee who has signed a postal money order receipt, need not be required to give a separate receipt, but as it is essential to know on what account the payment was made, the sender of the money order should secure this information by noting in the postal money order receipt the necessary particulars of the payment after the printed words "Received payment of the sum specified above on account of ... ..." the payee's signature on this endorsement will then be all that will be necessary and the postal money order receipt may be treated as a sufficient voucher for the expenditure.

Similarly value payable parcel covers showing the amount paid to the post office may be treated as payees' receipts provided they are certified to by the paying officer and are furnished in addition to the regular invoice or bill of the firm showing details of the items paid for.

Note 2.—Payment shall be allowed without the production of actual payees' receipts at the rate of 20 paise per maund/package, subject to a maximum of 40 paise at one place, as loading/unloading charges at a bus stand/railway platform.

Note 3.—Sub-vouchers which are required to be sent to the Accountant-General should not be cancelled either by the drawing officer or by controlling officer, as the duty of cancelling these sub-vouchers and keeping them in proper custody to prevent their fraudulent use devolves on the Accountant General.

8.6. In the case of diet and road money of witnesses a certificate in the following from should be given on the contingent bills:-

"Certified that diet and road money of witness have been paid at the rates fixed by the High Court."

IV—SPECIAL RULES RELATING TO PARTICUAR KINDS OF CONTINGENCIES AND OTHER EXPENDTIURE

(I) Contract Contingencies

8.7. In the case of contract contingencies all sub-vouchers should be retained in the office of the disbursing officer.

8.8. As under the contract system disbursing officers are entirely responsible for the regularity of the expenditure charged against contract grants, it is unnecessary to show the details of expenditure under the head "Miscellaneous" in contract contingent bills. At the same time it should be understood that the Accountant General is not debarred from calling for details if, for any reasons, he considers this course advisable in particular cases.

(II) Countersigned Contingencies

8.9. (a) From the monthly totals of the contingent register (*vide* rule 8.17) the monthly detailed bill will, in the case of contingent charges countersigned after payment, be prepared in H.P.F.R. Form 10 headed "Not payable at the treasury"', and showing the monthly total of each column, with description of each charge requiring explanation. The numbers assigned to the sub-vouchers will be entered in detail against each item. At the foot of the bill will be a memorandum of the number and date of every contingent bill cashed at the treasury, and the sub-vouchers included in each. The amount shown in the bill must be agreed with the total of the abstract bill cashed at the treasury during the month. The difference, if any, between the total of a detailed bill and the register must be adequately explained. The detailed bill will be signed by the head of the office and submitted to the controlling officer with all sub-vouchers above Rs.50, his signature to the certificate endorsed on the bill taking the place of the smaller ones.

(b) If in any month, the monthly proportion of the appropriation has been exceeded, a report of the special circumstances which rendered the excess necessary should be sent to the countersigning officer with the detailed bill.

Note 1.—District officer need not personally give the certificate required from a disbursing officer, (with the sanction of the Commissioer) he may delegate the duty to one of his gazetted subordinates.

Note 2.—When, in paying rewards to informers, it is not considered desirable to disclose the names of the payees, a certificate in the handwriting of the Collector to the effect that the reward has been duly paid, should be submitted to the Accountant General in support of the payment in lieu of the payee's receipt ordinarily required.

Note 3.—The limit of Rs.50 laid down in this rule is subject to alteration by the Comptroller and Auditor General.

Note 4.—There are occasions when it is not possible to meet the charge from the permanent advance, or even where this is possible, there is delay in obtaining the payee's receipt, e.g., when the payee happens to reside at a distance and the amount had to be remitted to him. In such cases the particulars of sub-vouchers to follow should invariably be stated in the appropriate space, immediately below the disbursement certificate on the contingent bill form.

Note 5.—The following instructions should be carefully observed in preparing detailed contingent bills:—

(a) One detailed contingent bill should be prepared for the amount drawn on all abstract contingent bills in any one month, and should be headed as appertaining to the month in which payment was actually made from the treasury.

(b) Charges on account of one major head only should be included in one detailed contingent bill.

(c) All sub-vouchers of items exceeding Rs.50 each should be noted with their amounts in column 1 of the detailed bill provided for the purpose.

(d) Details of miscellaneous charges or other items should be fully given in the detailed bill.

Note 6.—The sanction of the competent authority should, where necessary, be quoted in the detailed bill.

8.10. On receipt of the monthly detailed bill in the office of the countersigning officer, its figures will be transcribed in a register of the same form as the disburser's register, with similar description of items requiring explanation, and the bill will then be reviewed by the countersigning officer with the sub-vouchers. Any disallowances, with the number of the sub-voucher concerned and explanation of the objection, will be noted on the bill and in the "Remarks" column of the contingent register, and the amounts shown in the register in the columns affected will be corrected in red ink; the countersigning will then enter in the register, the date of admission under his initials, sign the bill, and despatch it to the audit office direct with the vouchers for items in excess of Rs.200, his signature to the certificate endorsed on the bill taking the place of the smaller ones.

Note 1.—The term "items" refers to the items of expenditure and not items of charges, e.g., a charge for Rs.220 for section writers would not be required to be supported by a sub-voucher if the amount is made up of 61 sums paid to several individuals, none of which exceeds Rs.200.

The limit of Rs.200 is, however, subject to alteration by the Comptroller and Auditor General.

Note 2.—In the absence of the countersigning officer the examination and countersignature of the bill my be performed by some responsible gazetted Government servant authorised by the countersigning officer.

8.11. The statements referred to in Subsidiary Treasury Rules are, on receipt in the office of the Accountant General, forwarded by him to the countersigning officers concerned. The latter should see that they are returned to the Accountant General with suitable entries made in columns 5 and 6 and note of any error in column 4, within a week of their receipt by them.

8.12. In the register maintained in the office of the countersigning officer the columns to the right will be written up as follows:--

That concerning detailed bill will show the date of its receipt. The column for date of admission will show the date of despatch of the countersigned bill, In the register maintained by the disbursing officer the entry in this column will record the date of recovery of any disallowance or that of the countersigning officer's letter further passing a disallowed item not yet actually recovered, any disallowance will be recorded by each in the column of remarks on the same line with the figure affected.

8.13. After despatch of the detailed bill to the audit office, the countersigning officer shall communicate any disallowance to the drawing office, and its amount shall without fail be refunded by short drawing in the next contingent bill presented at the treasury for the same department or office. The gross amount of each sub-voucher shall be entered in such bills and below the total shall be entered "Deduct disallowed from bill of .... Rs. ....", and the receipt given being for the net amount only. If, after correspondence the countersigning officer withdraws his objection, the amount may be redrawn in the next bill presented at the treasury by entering after the total of the sub-vouchers "Add amount of disallowance from bill of, refunded by deduction from contingent bill No........, dated........, and allowed as per........." ; the receipt would be for the gross amount, and the items would be re-included in the next montly contingent bill.

Note 1.—It will be observed that the totals in the disburser's registers are those of amounts drawn, not of those admitted by the countersigning officer but when an amount disallowed by him on one detailed head is adjusted by a short charge on another encashed bill, the actual amount for each head may be worked out by entering the amount retrenched in black ink with a minus sign in the column of the retrenched head on the line of totals for the bill in which the adjustment in made; the forward totals will, thus, be correct.

Note 2.—When a countersigning officer receives a detailed bill with vouchers for sums between Rs.50 and Rs.200 missing, he should forward the bill to the Accountant General, countersigned for the amount which is supported by vouchers and take steps to obtain the missing vouchers. On their receipt he should inform the Accountant General that they have been obtained and that the bill is passed by him for this further amount. The countersigning officer should devise means for watching the receipt of belated vouchers and take what steps he can to prevent their being unduly delayed. The Accountant General will keep a watch over bills countersigned only in part and bring the matter to the notice of the countersigning officer concerned from time to time.

(III) Audited Contingencies

8.14. In case of audited contingencies sub-vouchers for items not exceeding Rs.100 should be retained in the office of the drawing officer and those above that limit should be attached to the contingent bills in support of the charges they represent.

Note.—See also notes 2,3,4 and 6 below rule 8.9 and note 1 below rule 8.10.

H.P. GOVT. ORDERS

*(1) **Revised limit for submission of contingent sub-vouchers to Audit and Accounts Office.**— The undersigned is directed to state that special rules relating to particular kinds of contingencies and other expenditure, are contained in section IV of Chapter VIII of the H.P. Financial Rules, 1971, Vol. I. In rule 8.9 read with Notes 3 and 5 thereunder, 8.10 and Note 1 thereunder, 8.13 and Note 2 thereunder as also 8.14 of those rules contain the relevant provisions and the moentary limits in regard to submission of actual payee's receipts/sub-vouchers alongwith the bills to the Audit and Accounts Office. Similar provision exists in Rule 4.51 of the Subsidiary Treasury Rules and Note (1) thereunder. Keeping in view the present value of rupee and the volume as also number of contingent transactions, the Comptroller and Auditor General of India has decided that the existing limits of furnishing actual payee's receipts and sub-vouchers to the Audit and Accounts Office, be raised to Rs.1,000/- (One thousand) in respect of all contingencies.

2. The Governor, Himachal Pradesh, in consultation with the Accountant General, Himachal Pradesh, is pleased to order that the aforesaid limit of Rs.1000/- shall be observed by all the Disbursing Officers in furnishing contingent vouchers to the Audit and Accounts Office. The relevant provisions of the aforesaid rules shall be deemed to have been amended to that extent.

3. Formal amendments to these rules shall be issued in due course. This amendment shall take effect from 1st April, 1979.

[H.P. Govt., F.D., O.M., No.Fin.(C)-A(3)-11/77, dated the 27th March, 1979]

(2) **Payee's receipt to be obtained separately and not on the bill/sub-voucher itself - Moreover, payee's receipt to be retained by Disbursing Officer.**— (a) I am directed to state that with a view to improving and rationalising systems and procedure of audit and accounts, following decisions have been taken in regard to submission of payee's receipts and sub-vouchers to the office of Accountant General (A & E) :—

1. *Payee's Receipts.*— These should be retained by the Drawing and Disbursing Officers and not sent to the office of the Accountant General (A & E). A test check of the payee's receipts will, however, be conducted by the Audit Party of the Accountant General (Audit) at the time of local audit of the office concerned.

2. *Detailed Contingent Bills.*— Detailed Contingent Bills in their present form should continue to be sent to the Accountant General (A & E) office as at present, but without supporting vouchers. The supporting sub-vouchers may be retained by the Drawing and Disbursing Officers. The Audit Party will conduct a test check of the supporting vouchers at the time of local audit of the office concerned.

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* Rule 8.14 says that sub-vouchers exceeding Rs.100 are to be attached to contingent bills. Thus the natural interpretation of item (a) of Order (1) raising this limit to Rs.1000 is that sub-vouchers exceeding Rs.1000 are to be sent to Audit Office. However, see item (d) of Order (2) which says that " The monetary limit for submission of vouchers to the Audit office was fixed at Rs. 1000 and above".— *Compiler.*

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3. It is requested that the above decisions may be implemented with immediate effect and the Drawing and Disbursing Officers under your control may be advised to stop sending the payee's receipts and sub-vouchers to this office. The same should be retained by the Drawing and Disbursing Officers, to be made available to the Audit Parties of Accountant General (Audit) for test check during the local audit of the offices concerned.

A report on the implementation of these decisions may please be sent to this office (T.M. Section) at an early date.

[Senior Deputy Accountant General (A&E), H.P., letter No. TM/16-14/80-86/1646-46 A, dated the 28th June, 1985 to all Heads of Deptts. In H.P.]

(b) In continuation of this office letter No. TM/16/-14/80-86/1646-46A, dated 14.6.1985 on the subject cited above, I am directed to convey the following clarifications in regard to submission of Payee's Receipt and sub-vouchers to the office of the Senior Deputy Accountant General (A&E).

(i) Detailed contingent bills in adjustment of Adstranct Contingent bills will be submitted in the present form as proof of adjustment of amounts drawn on Abstract Contingent bills; however, sub-vouchers need not be sent to this office. These may be retained by the Drawing and Disbursing Officers till their preservation period is over.

(ii) In other cases, where the sub-vouchers are required to be presented alongwith the bills for payment at the Treasruy/Bank etc. (the same) will be submitted to this office alongwith the lists of payments as at present, as per existing rules/instructions/monetary limits, if any.

(iii) *Payee's receipts*

Payee's stamped receipts are not to be sent to this office in all cases. These should be preserved/retained by the Drawing and Disbursing Officers till the period of their preservation is over. It will be necessary to impress upon the Drawing and Disbursing Officers to obtain the payee's stamped receipts separately (not on the bill itself) in all cases including the pre-receipted bills. Fully vouched contingent bills are to be submitted to the Treasury Officer/Bank at the time of payment and as such these sub-vouchers will be submitted to this office alongwith vouchers as per existing rules. However, Payee's stamped Receipts need not be submitted to the A.G.'s (A&E) office.

All the old objections raised in this regard are to be pursued by this office till their finality and are to be settled by this office.

It is, therefore, requested that the Drawing and Disbursing Officers under your control may be advised and informed accordingly.

[Senior Deputy Accountant General (A&E), H.P. letter No. TM/16 (14)/85-86/Vol.II/3374, dated the 17th, September, 1985]

(c) In continuation of this office letter No. TM/16(14/85-86/Vol.II/3374 dated 17-9-1985 on the subject cited above, the clarification with regard to the introduction of revised procedure for retention of sub-vouchers by the Drawing Officer or by the Countersigning Officer is given as under:-

In cases where the rules of the State Govt., prescribe that sub-vouchers upto a specific amount are to retained by the Drawing Officers, and sub-vouchers above prescribed limit are kept by the countersigning officer, the existing monetary limits prescribed for the Drawing Officers have not been enhanced. The change in the procedure would, therefore, mean that all sub-vouchers above the limits prescribed for retention with the Drawing Officers would be retained with the countersigning officer. In other words there would be no upper limit for retention of sub-vouchers with the countersigning officer. And no sub-vouchers will be sent to the Accountant General (A&E) alongwith D.C. bills.

In is therefore, requested that the Drawing and Disbursing Officers under your control may be advised and informed accordingly.

The receipt of this letter may please be acknowledged.

[Senior Deputy Accountant-General (A&E), H.P. letter No.TM/16(14)/85-86/Vol. II/8687, dated the 9th April, 1986]

(d) The undersigned is directed to state that special rules relating to particular kinds of contingencies and other expenditure are contained in section IV of the Chapter VIII of the H.P. Financial Rules, 1971, Vol. I. In rule 8.9 read with Notes 3 and 5 thereunder, 8.10 and Note 1 thereunder, 8.13 and Note 2 thereunder and 8.14 and F.D.'s O.M. No. Fin.(C)-A(3)-11/77, dated 27th March, 1979 issued thereunder, contain relevant provisions and monetary limits in regard to submission of actual payes's receipts/sub-vouchers alongwith the bills to the Audit and Accounts Office. In this connection attention is also invited to letter No. TM/16-14/80-86/1646-46A dated the 28th June, 1985, from the Senior Deputy Accountant General (A&E), H.P. Shimla to all the Heads of Departments in H.P. wherein procedure has been prescribed about non-submission of payee's receipts/sub-vouchers to them which will be retained by the Drawing Officer/Controlling Officer in his own office and the same checked by the Audit Party during local audit.

In accordance with the existing instructions as contained in F.D.'s O.M. No. Fin. (C) A (3) -11/77 dated 27-3-79 the monetary limit for submission of vouchers to the Audit Office was fixed at Rs.1000/- and above and vouchers not exceeding Rs.100/- as per provision of rule 8.14 of H.P.F.R., Vol. I are to retained by the drawing and disbursing officers. Rule 8.9 further requires to send vouchers/payee's receipts to the controlling officers, impliedly between Rs.100/- and Rs.1000/-

The actual practice in vogue is that all payee's receipts/sub-vouchers not required to be sent to the Audit Office are retained by the D.D.O. and as such the existing provision of intermediatory authority of controlling officer/countersigning authority is not in actual practice being followed and the existing provision to this effect in H.P.F.R. is thus meaningless.

Therefore, the Governor, H.P. in consultation with the Accountant General, H.P. is pleased to order to adopt the instructions as contained in the letter dated 18-6-1985, referred to above issued by the Senior Deputy Accountant General (A&E). H.P. wherein the requirements of sending payee's receipts/vouchers to the Audit Office have been discontinued. All such payee's receipts/sub-vouchers irrespective of its monetary limits shall henceforth be retained by the drawing officer, which will be checked by the Audit Office during their local audit. The relevant provision of the aforesaid rules shall be deemed to have been amended to that extent.

Formal amendments to these rules shall be issued in due course.

[H.P. Govt., F.D., O.M. No. Fin (C)-C(12)-1/86, dated the 17th February, 1987]

(IV) Grants-in-aid

8.15. Grants-in-aid or contributions to educational and other institutions, local bodies and co-operative societies are sanctioned either by the Government or the authorities subordinate to it (heads of departments, etc.) and are regulated by the orders contained in rule 19.9 of this volume, and the detailed rules made by the heads of departments under the powers vested in them. After the budget allotments have been communicated by the Finance Department, the payment is authorised at the treasury through the Accountant General or direct, as the case may be, –*vide* Subsidiary Treasury Rules. The following further instructions are issued for the guidance of sanctioning authorities in the matter of according sanctions for grants-in-aid:--

(a) (1) Unless in any case Government directs otherwise, every order sanctioning a grant should specify clearly the object for which it is given and the conditions, if any, attached to the grant. In the case of non-recurring grants for specified objects, the order should also specify the time-limit within which the grant or each instalment of it is to be spent.

(2) Only so much of the grant should be paid during any financial year as is likely to be expended during that year. In the case of grants for specific works or services such as buildings, water-supply schemes and the like, the sanctioning authority should use its discretion in authorising payments according to the needs of the work. The authority signing or countersigning a bill for grants-in-aid under Subsidiary Treasury Rules should see that money is not drawn in advance of requirements. There should be no occasion for a rush for payment of these grants in the month of March.

(3) Before a grant is paid to any public body or institution, the sanctioning authority should as far possible insist on obtaining an audited statement of the account of the body, or institution concerned in order to see that the grant-in-aid is justified by the financial position of the grantee and to ensure that any previous grant was spent for the purpose for which it was intended. It is not essential for this purpose, however, that the accounts should be audited in every case by the Audit Department and it will be sufficient, therefore, if the accounts are certified as correct by a Registered Accountant or other recognised body of Auditors. In the case of small institutions, which cannot afford to obtain the services of a Registered Accountant or other registered body of Auditors, the sanctioning authority may exercise its discretion of exempting any such institution from the submission of accounts audited in this fashion.

The authority sanctioning a grant, while communicating the sanction to the Accountant General should state whether the audited statement of accounts has been received when required, or whether the grantee has been exempted from submitting the statement.

Note.— This order applies both to non-official institutions and to semi-official ones, such as Public Clubs, etc.

(b) In cases in which conditions are attached to the utilisation of grant in the form of specification of particular objects of expenditure or the time within which the money must be spent, or otherwise the departmental officer on whose signature or countersignature the grant-in-aid bill was drawn should be primarily responsible for certifying to the Accountant General, where necessary, the fulfilment of the condition attaching to the grant, unless there is any special rule or order to the contrary. The certificate should be furnished in such form and at such interval as may be agreed between the Accountant General and the head of the department concerned. Before recording the certificate, the certifying officer should take steps to satisfy himself that the conditions on which the grant was sanctioned have been or are being fulfilled. For this purpose he may require the submission to him at suitable intervals of such reports, statements, etc., in respect of the expenditure from the grant as may be considered necessary. Where the accounts of expenditure from the grant are inspected or audited locally, the inspection or audit report, as the case may be, will either include a certificate that the conditions attaching to the grant have been or are being fulfilled or will give details of the breaches of those conditions.

(c) Unless it is otherwise ordered by Government every grant made for a specific object is subject to the implied conditions:--

(i) that the grant will be spent upon the object within a reasonable time, if no time limit has been fixed by the sanctioning authority; and

(ii) that any portion of the amount which is not ultimately required for expenditure upon that object should be duly surrendered to Government.

8.16. In order to ensure that the grants-in-aid are not disbursed to the local bodies before they are required by them, the instructions given below should be observed:--

(a) Grants-in-aid, other than those relating to works to be executed, through the agency of the Public Works Department:-

(1) The sanctioning authority will issue the necessary letter of authority to the Accountant General, or the Treasury Officer, as the case may be, for the payment of the amount required for immediate disbursement.

(2) The letter of authority will contain instructions that no drawal shall be allowed except on a regular bill signed by the President or the Chairman or the Administrator of the local body concerned and countersigned by a Government servant named in the letter of authority.

(3) The Government servant so named shall be responsible for satisfying himself that the money is not drawn by the local body in advance of requirements. He shall not, therefore, countersign the bill unless it is supported by the actual bill of contractors or suppliers.

(b) For the grants-in-aid to local bodies for works to be executed through the agency of the Public Works Department:--

(1) The orders sanctioning the grant-in-aid to the local body and requiring the Public Works Department to execute the work on behalf of the local body as a contribution work shall be issued simultaneously and the local body shall be informed accordingly.

(2) The sanctioning authority will issue the letter of authority to the Accountant General or to the Treasury Officer, as the case may be, for the payment of the amount required for immediate disbursement.

(3) The letter of authority will contain instructions that no drawal shall be allowed except on a bill presented by the local body and made payable by transfer credit to "Public Works Deposits".

Note.— Grants-in-aid to the local bodies, private associations etc., unconnected with Government are made for various purposes. Some of these grants are recurring and are paid year after year and other are merely lump sum grants to be paid for a definite number of years and then stopped. In the case of such grants-in-aid the head of the department, when the total grant for the entire head is communicated to him at the commencement of the year, should issue definite orders authorising the Accountant General to disburse each such grant-in-aid included in his estimates. This would give him an opportunity of reviewing the grants and of deciding whether they are to be continued or not and thereby avoid the real danger of grants being paid automatically year after year even after their justification has ceased.

H.P.GOVT. ORDERS

(1) Payment of grants-in-aid to be made at the Treasury without any authorisation from Accountant-General.— See Decision below Rule 4.4 of H.P. Subsidiary Treasury Rules.

(2) Rules are not rigid about the period for utilisation of grant-in-aid – It is for the sanctioning authority to specify the time-limit for utilisation.— With reference to your letter No. 2-82/71-LWP (Wel.), dated the 2nd June, 1972, on the subject noted above, I am directed to say tht the point raised by the Rublic Accounts Committee has been examined in the Finance Deptt. It is observed that no formal amendments of the Financial or any other Rules is necessary. It is no doubt true that under rule 151(1) of the Central Government Compilation of General Financial Rule, 1963, which were applicable in Himachal Pradesh prior to 1st May, 1971, the expression "within a resonable time" for the utilization of grants-in-aid *ordinarily* used to be interpreted to mean "one year". But the new Financial Rules, which have been made applicable in Himachal Pradesh after that date by adopting the Punjab Financial Rules, do not contain any such provision. Clause (c) of rule 8.15 if these Rules, which is relevant to the issue, reads as under:-

> "Unless it is otherwise ordered by Government, every grant made for a specific object is subject to the implied conditions:-
>
> (i) that the grants will be spent upon the object within a reasonable time, if no time-limit has been fixed by the sanctioning authority; and
>
> (ii) that any portion of the amount which is not ultimately required for expenditure upon that object should be duly surrendered to Govt."

From this provision of the Rule, it may be seen that there is no rigidity about the period during which a grant sanctioned by the Govt. to a person/party/institution for a specified object should be utilized. It is for the authority sanctioning the payment of financial assistance to specify in each individual case the time-limit for utilizing the same. The Finance Department feel that the difficulty being experienced by the Welfare Department in proper utilization of the financial assistance by the grantees can be solved without making any amendment of the Rules, as suggested, by prescribing the period of utilization in individual cases as "two years" in the localities which remain show-bound during winters, at the time of issue of sanctions.

[H.P. Govt., F.D., letter No. 11-12/71-Fin. (C), dated the 20th June, 1972 to the Secretary (Welfare) to H.P. Government]

(3) Bill for grant-in-aid to be prepared and submitted by grantee — Register of Grants to be maintained by the countersigning authority.— The undersigned is directed to say that the Governor, Himachal Pradesh, is pleased to order that the following instruction should be strictly observed by sanctioning authorities in connection with sanction and payment of grant-in-aid to public bodies, institutions or statutory bodies, etc.:–

(i) (a) Once a grant-in-aid has been sanctioned, it is the responsibility of the grantee of prepare and submit the bill in Form S.T.R. 52 to the countersigning authority for signature and the Treasury Officer for payment. In no case, therefore, should the office of the sanctioning authority do this work on behalf of the grantee. There is, however, no objection to the grantee being guided in the preparation of the bill, such guidance taking the form of supply of blank Form S.T.R. 52 and indication of the particulars to be filled in.

(b) Before a bill is accepted, it should be particularly seen that the conditions, if any, attached to the grant have been accepted by the grantee without any reservation.

(c) Register of Grants containing the following columns should be maintained:–

(i) Serial Number.

(ii) Number and date of sanction letter.

(iii) Purpose of grant.

(iv) Conditions, if any, attached to the grant.

(v) Amount sanctioned.

(vi) Date of receipt of the bill from the grantee and its amount.

(vii) Whether conditions attached to the grant have been accepted by the grantee without reservation?

(viii) Dated initials of the countersigning authority.

(ix) Date by which statements of accounts etc. are required to be furnished by the grantee.

(x) Date by which utilisation certificate is required to be furnished by sectioning authority to the Audit Officer and/ or Accounts Officer, as the case may be.

(xi) Date by which statements of accounts, etc., are actually received (in case, there has been delay in the receipt of the statements, the reasons therefor as well as efforts made by the sanctioning authority/countersigning authority to expedite submission of such statements may be clearly indicated).

(xii) Date of submission of utilisation certificate to the Audit (in case there has been delay in submission of utilisation certificate to Audit the reasons therefor may be clearly indicted)

(xiii) Unspent balance, if any (indicate whether the unspent balance has been surrendered by the grantee institution).

The register should be maintained by the sanctioning authority if the bill is to be countersigned by the same authority. If, however, the powers of countersignature of grants' bill have been vested with any authority other than sanctioning authority, under Note (I) below Rule 4.4 of the Subsidiary Treasury Rules, the register should be maintained by the countersigning authority and not the sanctioning authority.

(ii) Columns (i) to (v) of the Register should be filled in simultaneously with the issue of the order sanctioning each grant if the register is being maintained by the sanctioning authority. In those cases in which the register is to be maintained by the countersigning authority, these columns should be filled in by the countersigning authority on receipt of his copy of sanction form the sanctioning authority. These columns should be attested by the Section Officer in the case of Departments of State Government and any Gazetted Officer nominated for the purpose by countersigning authorities in the case of other offices. The serial number should be recorded on the body of the sanction letter at the time the item is entered in the Register as under :–

"Noted at Serial No............in the Register of Grants."

Such record will guard the possibility of double payment. Columns (vi) and (vii) should be filled in and attested by the Section Officer or other gazetted officer concerned as soon as the bill has been received from the grantee. The bill should then be submitted to the countersigning authority with the Register for countersigning the bill and for giving his dated initials in column (viii) of the Register. It should also be the duty of the countersigning authority to verify that the conditions, if any, attached to the grant have been duly accepted by the grantee without any reservation and that no other bill for the same purpose has already been countersigned before. Any bill received form a grantee should not be countersigned unless it has been noted in the Register of Grants against the relevant sanction. This would also facilitate watching of payments in instalments, if any, in the case of lump sum sanctions.

(iii) The register should be put up once every month to an officer not below the rank of Deputy Secretary/Under Secretary concerned in the Administrative Department or to the Head of Department where register is maintained at the Head of Department level. Any case of delay in the receipt of statements of accounts etc. from the grantee or the submission of utilisation certificate should be specifically brought to his notice. Audit should also be informed of the reasons for delay.

[H.P.Govt., F.D., O.M. No. 15-4/71-Fin.(Reg.), dated the 11th May, 1973 and the 21st November, 1973]

(4) **Execution of bond by certain types of grantees - Conditions regarding permanent and semi-permanent assets acquired out of grant and maintenance by grantee of register of such assets - Principles/conditions for sanctioning building grants.**— The undersigned is directed to state that Rule 8.15 of the Himachal Pradesh Financial Rules, 1971, Volume I, *inter alia* stipulates that every order sanctioning a grant should specify clearly the object for which it is given and the conditions, if any, attached to the grant. The rule does not, however, provide for any remedy where the grantee fails to comply with the conditions or commits a breach of the conditions under which the grant is made. The Government have, therefore, after careful consideration, decided that before the grant-in-aid is released, the grantee should be required to execute a bond with two sureties to the Governor of Himachal Pradesh to the effect that he will abide by the conditions of the grant and in the event of his failing to comply with the conditions or committing breach of the bond, he and the sureties individually and jointly will be liable to refund to the Governor of Himachal Pradesh the entire amount of grant with interest thereon or the sum specified under the bond. In special cases in which such a bond is not found feasible and/or, on due consideration, the Administrative Department decide not to insist upon a bond on the above lines, it would be necessary to work out alternative arrangements in consultation with the Legal Remembrancer to the Government of H.P. and the Finance Department for ensuring that the interests of Government are safeguarded effectively. To enable the Audit to verify that this condition has been fulfilled, it has been decided that a certificate to the effect that the grantee has executed requisite bond unless otherwise exempted should be furnished along with the grant-in-aid bill, duly countersigned by the officer on whose signature or countersignature the grant-in-aid bill is drawn.

2. The following types of Institutions/Organisations will be exempted from the operation of these instruction :-

(a) *Quasi-Government Institutions.*— Institutions or organisations set up by Government as autonomous bodies either under a statute or a society registered under the Societies Registration Act, 1860, or otherwise.

(b) *Government aided bodies.*— Institutions or organisations which receive financial assistance from the Government of Himachal Pradesh on regular basis (either wholly or on a fixed percentage basis) and/or;

   (i) whose annual budget is approved by the Government, or

   (ii) on the Boards of Management or Committees of Management of which the Government is adequately represented.

3. While obtaining the prescribed bond, where it is necessary the requirements of furnishing two sureties in addition, need not be insisted upon if the grantee Institution or Organisation is a society registered under the Societies Registration Act, 1860 or is a Cooperative Society, or is an Institution of standing in whose case such sureties are not considered necessary by the sanctioning authority.

4. It has further been decided that in making grants to non-Government or quasi-Government bodies or Institutions, a condition should invariably be laid down that assets acquired wholly or substantially out of Government grants would not without the prior sanction of the Government, be disposed of, encumbered or utilised for purposes other than those for which grants are sanctioned. The grantee Institutions should be called upon the maintain a register in the form as in Annexure of the permanent and semi-permanent assets acquired wholly or mainly out of Government grant. This register should be maintained by the grantee Institutions separately in respect of each sanctioning authority to whom a copy thereof be furnished annually for permanent record. The assets would be taken to mean all immovable and moveable property of the capital nature where the value exceeds Rs. 1,000. The library books and articles of furniture will not, however, be included in it.

5. It has also been decided that grantee Institutions may be exempted from the payment of stamp duty on such bonds. It is requested that while prescribing the form of agreement bond in consultation with the Law Department, a clause may be inserted to the effect that the stamp duty on the bond shall be borne by the Government.

6. With a view to ensure that the property acquired or constructed with the aid of grants from the Government is not put to uses other than those for which it is actually meant or is rented out without paying proportionate share of rent to Government, it has been decided that the following principles should be kept in view while sanctioning financial grants to Institutions, Organisations, etc.: —

(i) It should be ensured that the building grant is sanctioned for the minimum area required for the purpose of grantee Institution(s); and

(ii) The order sanctioning the grant should embody such other conditions as may be considered necessary for ensuring to Government the right to claim a share of the rent where the buildings are used for purposes other than those for which the grants were made.

7. . In order to ensure that the above conditions can, in the event of their breach, be enforced through a court of law, the same should be incorporated in the agreement bond to be executed by the grantee institution(s) in accordance with the decision contained in para I above.

8. Further rule 8.15 of the Rules *ibid*, stipulates that in respect of the grants sanctioned with specific conditions attached to their utilisation, the sanctioning authority should satisfy itself that the grant has, as a matter of fact, been applied for the purpose for which it was intended and furnish a certificate of utilisation to the Accountant General, Himachal Pradesh. To enable the sanctioning authority to record this certificate, it is necessary that the audited statements of accounts of the expenditure from the grant should be submitted to him. It is, however, observed that the audited statements are not generally submitted by the grantee Institution(s) in time. In order to ensure their timely submission, target dates should be fixed for their submission by the grantee Institutions and the observance of these dates should be duly enforced. The release of further grants to Institutions which fail to furnish proof of proper utilisation of the earlier grant within a reasonable time should not be done except in very exceptional circumstances to be kept on record by the sanctioning authorities.

9. It has further been decided that before sanctioning grants-in-aid to private Institutions, the sanctioning authority concerned should examine whether the Institutions have the experience and managerial ability to carry out the purposes assigned to them. The sanctioning authority should also devise a machinery to keep an effective and constant check to see that the money is utilised fruitfully and applied for the purposes intended.

10. The Administrative Departments are requested to bring the above decisions of the Government to the notice of all concerned for compliance.

[H..P.Govt., F.D, O.M. No. 1-3/73-Fin(Reg.), dated the 28th January, 1976]

ANNEXURE

ASSETS ACQUIRED WHOLLY OR SUBSTANTIALLY OUT OF GOVERNMENT GRANTS

Serial No.

Name of Grantee Institution

No. and date of sanction

Amount of the sanctioned grant

Brief purpose of the grant

Whether any condition regarding the right of ownership of Govt. in the property or other assets acquired out of the grant was incorporated in the grand-in-aid sanction.

Particulars of assets actually created or acquired

Value of the assets as on

Purpose for which utilised at present

Encumbered or not

Reason if encumbered

Disposed of or not

Reason and authority, if any, for disposal

Amount realised on disposal

Remarks

[Enclosure to H.P.Govt., F.D., O.M. No. 1-3/73-Fin(Reg.), dated 28th January, 1976]

(5) Interpretation of the expression "reasonable time" for utilisation of grant-in-aid and instructions regarding release of instalments of grant-in-aid to small institutions.—Rule 8.15 (c) (i) of the Himachal Pradesh Financial Rules, 1971, Volume I, *inter alia* lays down that unless it is otherwise ordered by Government "the grant will be spent upon the object within a reasonable time, if no time limit has been fixed by the sanctioning authority".

2. A question has been raised as to how the expression "reasonable time" should be interpreted in actual practice. The Government have decided that the expression should ordinarily be interpreted to mean "one year from the date of the issue of the letter

sanctioning the grant". The period of one year should be calculated from the date of the issue of the sanction and that the sanction should be considered to have been acted upon if payment in whole or in part has been made in pursuance of the sanction within 12 months from the date of its issue. When there is a specific provision in a sanction for any fresh charge that the expenditure would be met from the budget provision of a specified financial year, such sanction will lapse on the expiry of the specified financial year. Thus grants may be sanctioned to meet the requirements of a year even extending beyond the financial year, but as provided in rule 8.15 (a) (2) of the Himachal Pradesh Financial Rules, 1971, Volume I, only so much of the grant should be paid during the financial year as is likely to be expended during that year. The amount remaining unspent at the end of the year in such cases need not be refunded at the close of the financial year. In such cases. the sanctions should be so drafted that they may not lapse at the close of the financial year. However, immediately on the expiry of the period of one year from the date of the sanction, any unspent balance thereof should be duly surrendered to Government as required under Rule 8.15 (c) (ii) of the Himachal Pradesh Financial Rules, 1971, Volume I. In respect of sanctions which require the grant to be utilised during a financial year, the unspent balance thereof should nevertheless be duly surrendered to Government at the end of the financial year or may be adjusted by the sanctioning authority against the next year's grant, if any.

3. In the case of small institutions which are entirely/mainly fed by recurring grants-in-aid from Government, it is possible that despite the above liberalisation they may have utilised the entire grant by the close of a financial year. In that case, such institutions should not have sufficient funds to cover their expenses in the beginning of the next financial year pending the receipt of fresh grants. In order to mitigate hardship to such institutions due to delay in payment of fresh grants-in-aid, it has been decided that, with effect from the financial year 1976-77 recurring grants-in-aid to such institutions may be paid during a financial year, if necessary, in three instalments in the manner indicated below :--

(i) The first instalment may be paid in the month of April itself.

(ii) The second instalment may be paid in the month of May or June to cover the expenses for the five months, May to September.

(iii) The final instalment may be sanctioned in the month of October or later to cover the expenses for the rest of the financial year.

The requirement of obtaining audited statement of accounts, provided for in rule 8.15 (a) (3) of the Himachal Pradesh Financial Rule, 1971, Volume I, need not be insisted upon for sanctioning the first two instalments if the statements are not ready. However, such statements of accounts in respect of the previous financial year, unless the institution concerned has been specifically exempted from furnishing them, should be obtained before sanctioning the final instalment as laid down in Rule 8.15 (a) (3) *ibid*.

4. The procedure outlined in the foregoing paragraphs will apply only to the institutions, which are entirely/mainly fed by the recurring grants-in-aid from Government. Where any other procedure prescribed in consultation with the Finance Department is in vogue and is working satisfactorily, the procedure outlined in the preceding paragraphs need not be invoked.

[H.P.Govt., F.D., O.M. No. 1-3/73.Fin. (Reg), dated the 28th January, 1976]

(6) Form in which grantee organisations are to furnish audited statement of accounts and instructions regarding devising of a machinery by departments to keep effective and constant check to see that money is utilised properly and applied to the purpose intended.— The undersigned is directed to say that it has been brought to the notice of the Government that the provisions at present contained in the Himachal Pradesh Financial Rules, 1971, do not specifically provide the form in which the accounts of the grantee organisations should be submitted and it has been stressed, that in the absence of the following four sets of accounts, it would be difficult to comprehend the financial position of the grantee institutions:-

(i) The Receipt and Payment Accounts of the body as a whole for the financial year;

(ii) The Income and Expenditure Accounts of the body as a whole for the financial year;

(iii) The balance sheet as at the end of the financial year for the body as a whole; and

(iv) Profit and Loss Accounts.

2. The question whether the existing provisions in the aforesaid rules require any amendment or not has been considered carefully by the Government and the Governor is pleased to decide that, in future, excepting trading or commercial organisations, the sets of audited statements of accounts mentioned at items (i), (ii) and (iii) should be submitted by all grantee institutions to the sanctioning authority, Trading or commercial organisations, however, should furnish the Profit and Loss Accounts statement in place of Income and Expenditure Account and statement as indicated at item (iv) above, if grants are sanctioned subject to the fulfilment of the conditions laid down in paragraph 3 below.

3. It has been decided that in cases where financial assistance is proposed to be granted to a society or organisation likely to make profits, the feasibility of giving loans instead of grants-in-aid should be specifically considered by the sanctioning authority in consultation with the Finance Department.

4. The Government have also been considering that in order to facilitate the consideration of the requests for and follow up action after sanctioning of grants-in-aid, the grantee institutions adopt the same financial year as that of the Government. As, however, it may not be practicable for such of the grantee institutions who have their own way of preparing accounts and may be receiving aid from other sources also, to switch over to the financial year followed by the Government, it has been decided that while it is permissible for such of the institutions to adopt the present financial year; every effort should be made to persuade them to switch over to the same financial year as that of the Government, as far as possible.

5. The Government have also decided that the grantee institutions should invariably be required to furnish audited statement of accounts in the form indicated in para 1 above irrespective of the amounts involved. These audited statements of accounts will also be required to be furnished after utilisation of the grants-in-aid or whenever called for.

6. Under the provision of Rule 8.15 (b) the authorities sanctioning the grants-in-aid are to forward to the Audit and Accounts Department a certificate regarding the utilisation of grants-in-aid in the form prescribed *vide* Finance Department Office Memorandum No. 1-3/73- Fin. (Reg.), dated the 28th January, 1976. While issuing this certificate the Administrative Departments are required to satisfy themselves that the conditions attached to the grants are fulfilled. It is needless to observe that this satisfaction is to be based on factual verification. The administrative Departments should devise a machinery to keep an effective and constant check to see that the money is utilised fruitfully and applied to the purpose intended. In devising such a machinery, it should be borne in mind that no extra expenditure is incurred on creation of fresh posts. The same should be achieved by making suitable adjustment from within the sanctioned strength.

7. Necessary amendment to Rules 8.15 and 8.16 of the Himachal Pradesh Financial Rules, 1971 will be issued in due course.

[H.P. Govt., F.D., O.M. No. Fin (C)-A(3)-7/76, dated the 21st August, 1976]

(7) Voluntary organisation receiving any concession in kind from Government to show the value of such concession in its consolidated accounts. — In continuation of this Department Office Memorandum No. Fin. (C)-A(3)-7/76, dated the 21st August, 1976, on the subject cited above, the undersigned is directed to say that the question whether financial assistance received by the grantee organisation in kind, like free/concessional allotment of land, accommodation and exemption from payment of any tax etc., should also be reflected in the four sets of accounts statements mentioned therein, has been under consideration of the Government. After due consideration, the Governor, Himachal Pradesh is pleased to decide in consultation with the Accountant General, Himachal Pradesh and Chandigarh, that in case a voluntary organisation is enjoying or allowed any concession in kind from the Government such as rent free or subsidised Government accommodation/land at concessional rate, concession in respect of payment of any tax or any other concession in kind, the accounts of the voluntary organisation should also show the value of such concession in its consolidated accounts in the form specified in para 1 of the O.M. referred to above, so as to enable the grant sanctioning authority to examine as to how these concessions are being utilised.

2. Necessary amendment to Rules 8.15 and 8.16 of the Himachal Pradesh Financial Rules, 1971 will be issued in due course.

[H.P. Govt., F.D., O.M. No. Fin. (C)-A(9)-16/76, dated the 30th August, 1977]

(8) Grant-in-aid to private institutions where it involves a one time payment to be paid before end of December.— The undersigned is directed to invite a reference to the provision of rule 8.15 (2) of the Himachal Pradesh Financial Rules, 1971 Vol .I, which *inter alia* lays down that there should be no occasion for a rush for payment of the grant-in-aid in the month of March. It has been noticed that these provisions are not being complied with.

It has now been decided that where the grant-in-aid to private institutions involves a one time payment, It should be paid, as far as possible, before the end of December, thereby avoiding such payments in the last quarter of the financial year. This would help avoid rush of expenditure towards the end of the financial year and also enable the recipient institutions to utilise such grants properly.

[H.P. Govt., F.D., O.M. No 1-3/73-Fin (Reg.), dated the 23rd April,, 1976]

(9) **Instructions regarding abolition of castes and sub-castes in matters connected with the State and its services are also applicable to bodies receiving grant-in-aid etc. from Government.**— The undersigned is directed to say that the question of eliminating reference to castes and sub-castes in official records etc., consequent upon the decision of the Government of India was under consideration of the Government for some time past. It has now bee decided by the Government that references to castes or sub-castes in all matters connected with the State and its services should be abolished. All forms, registers, etc. prescribed by the Government in various departments may, therefore, kindly be examined and suitable action taken to delete references to castes and sub-castes therefrom. In particular cases where there is any difficulty in giving effect to the above decision because of administrative reasons or for the fulfilment of a statutory obligation, the matter may be referred to this Department for further consideration.

2. It has also been decided that the candidates belonging to Scheduled Castes/Scheduled Tribes applying for various posts/services under the Government should be asked to indicate only the fact whether they belong to Scheduled Castes or Scheduled Tribes and they should not be required to specify the name of the caste or sub-caste.

3. The Government also consider it desirable that similar steps should be taken by bodies which, though not full-fledged Government Departments, may be receiving assistance or support from Government in the form of grant-in-aid etc. All the Administrative Departments are accordingly requested to advise such bodies suitably.

The action taken in the matter may kindly be intiuased to this Department.

[H.P. Govt., Personnel Deptt., O.M. No. Per (AP-II) – A (6) – 6/75, dated the 4th October, 1976]

(10) **Reservation of vacancies for Scheduled Castes/Scheduled Tribes in services and posts under voluntary agencies receiving grants-in-aid from Government.**— I am directed to say that the policy of the Government has been to ensure that the adequate representation is available to members of Scheduled Castes and Tribes in the posts and services under this Government. As a further extension of this policy, the Departments administratively concerned with the Public Sector Undertakings have also been asked to implement the instructions pertaining to reservation for Scheduled Castes/Scheduled Tribes in the services/posts under all such public sector undertakings.

2. The question of providing adequate representation to the Scheduled Caste/Scheduled Tribes in the services and posts under the control of voluntary agencies or organisations which receive grants-in-aid from the Government has been engaging the attention of the Government for some time post. A recommendation to this effect was also made by the H.P. Vidhan Subha Committee on Welfare of Scheduled Castes and Scheduled Tribes in its Third Report. After thorough examination of the matter, it has now been decided that all the instructions pertaining to reservation for Scheduled Castes/ Scheduled Tribes issued by the State Government from time to time, shall also be made applicable to the services/posts under such voluntary agencies/organisations which fulfil the following two pre-conditions :-

i) The recipient body employs more than 10 persons on a regular basis and at least 50% of the recurring expenditure is met from the grants-in-aid from the State Government.;

ii) The body is a registered society or a co-operative institution and is in receipt of a general purpose annual grants-in-aid of Rs.50,000/- or above from the Consolidated Fund of Himachal Pradesh.

3. It has also been decided that all such voluntary agencies/organisations should furnish an, undertaking to the effect that they agree to make reservations for Scheduled Castes/Scheduled Tribes in the posts/services under their control and in that case all the relevant instructions issued by the Government in this behalf from time to time will be implemented by them in letter and spirit

4. All the concerned Departments are, therefore, requested to keep the above decision in view while sanctioning grant-in-aid to various voluntary agencies under them, and the progress made by such agencies in employing Scheduled Castes and Scheduled Tribes candidates in their services should also be kept in view by them while sanctioning future grants to them. The voluntary agencies etc. should also be duly informed that the progress in regard to the employment of Scheduled Castes and Scheduled Tribes into various services under them would be taken into account by the Government while sanctioning future grants-in-aid to them.

[H.P. Govt., Personnel Deptt., letter No. Per (AP-II) F (4)—24/74, dated the 19th September, 1981]

(11) Form of utilisation certificate in respect of grants-in-aid where conditions are attached for its utilisation.— The undersigned is directed to invite a reference to rule 8.15 (b) of the Himachal Pradesh Financial Rules, 1971, Volume I, which lays down that where conditions are attached to the utilisation of grants-in-aid, the departmental officer on whose signature or countersignature the bill was drawn is required to furnish a utilisation certificate in such form as may be agreed between the Accountant General, and the Head of the Department concerned.

2. It has been observed that no uniformity exists in regard to the form of certificate. In order to achieve uniformity in this regard, it has been decide by the State Government, in consultation with the Accountant General, to prescribe a standard form of utilisation certificate, which is given below :–

Form of Utilisation Certificate

SL.No.	Letter No. & date	Amount	Certified that out of Rs.__________ of grants-in-aid sanctioned during the year__________________ in favour of_________under this Department letter No. given in the margin and Rs.________________on account of unspent balance of the previous

Total year, a sum of Rs.___________ has been utilised for the purpose of______________________________________ for which it was sanctioned and that the balance of Rs.___________ remaining unutilised at the end of the year has been surrendered to Government (*vide* No._____ date___________) will be adjusted towards the grants-in -aid payable during the next year.

2. Certified that I have satisfied myself that the conditions on which the grants-in-id was sanctioned have been duly fulfilled/are being fulfilled and that I have exercised the following checks to see that the money was actually utilised for the purpose for which it was sanctioned.

Kinds of check exercised .

1.
2.
3.
4.
5.

Signature
Designation
Date

3. The Administrative Departments are requested to bring the above decision to the notice of all concerned.

[H.P. Govt., F.D., O.M. No 1-3/73 Fin (Reg.), dated the 28th January, 1976 and the 26th May, 1976]

(12) Timely submission of utilisation certificates of grants-in-aid to Audit Office.— (a) With reference to the subject cited above, I am directed to say that the Public Accountant Committee, while examining the replies furnished by the Department of Agriculture, Fisheries and Animal Husbandry in respect of the Audit Reports of the Comptroller and Auditor General of India for the years 1976-77 and 1977-78, observed that the Heads of Departments usually do not care for timely submission of the Utilisation Certificates of grants-in-aid to local bodies, private institutions, etc., to the Audit Officer which causes delay in finalising the Appropriation Accounts and Audit Reports and then their presentation to the Legislature.

2. In this context, I am to reiterate the position explained in Finance Department circular letter —

1) No. 2-4/73-Fin. Genl. dated the 6th May, 1977; and

2) No. Fin. (D) (C) (C) 15-27/78, dated the 4/7 Nov., 78

and again to impress upon you that all outstanding Utilisation Certificates for the grant-in-aid advanced to the local bodies or public institutions in the past be obtained and sent to the Audit Office without any further delay. Not only this, but in future, the fact that no grant-in-aid to any local body or public institution be advanced until and unless they have submitted the Utilisation Certificates for such grants allowed to them in the past, should also be borne in mind. To be more explicit no proposal for the release of grant-in-aid from any local body or public institution be entertained in future unless such a body or institution has submitted the Utilisation Certificate in respect of the previous grant-in-aid released to it.

Similarly, it was also observed that cases of condemnation of old and worthless vehicles/machinery and stores, etc. be dealt with promptitude so as to ensure that such old vehicles/stores are condemned and disposed off without the least delay.

In view of the position explained above, I am to request you to issue suitable instructions to all officers under you to take care of the Govt. instructions in the matter and thus avoid audit objections etc.

Receipt of this letter may kindly be acknowledged.

[H.P. Govt., F.D., letter No. Fim. (D) (D) 5 (a) 3-1/81, dated the 28th August, 1981]

(b) I am directed to refer to the provisions of Rule 8.15(b) of the H.P.F.R., Vol-I and to say that a certificate is required to be furnished/obtained with regard to actual utilisation of grants received by voluntary organisations. The H.P. Government vide letter No. 1/3/73-Fin(Reg) dated 28/1/1976 and 26/5/1976 has stressed need for submission of this certificate to the Accountant General on regular intervals. However, it has been brought to the notice of this Department that most of the voluntary organisations recipient of grant-in-aid, are not observing above procedure.

I am directed to request you to kindly ensure that provisions of H.P.F.R. and instructions thereunder are strictly adhered to and obtain proper utilisation certificates invariably from all such organisations. Receipt of this letter may please be acknowledged.

[H.P., F.D., letter No. Fin (C)A(2)-1/95, dated the 18th October, 1997]

(13) Procedure for entrustment of audit of accounts of autonomous bodies or authorities to the Comptroller and Auditor General of India.— The undersigned is directed to state that section 14 of the Comptroller and Auditor General's Powers and Conditions of Service Act, 1971, requires of the Comptrdler and Auditor General to audit all receipts and expenditure of any body or authority substantially financed by grants or loans from the Consolidated Fund of India/State subject to the provisions of any law for the time being in force applicable to the body or authority and so report on the receipts and expenditure aufited by him. For the purpose of this section a body or authority is treated as ubstantially financed if the grant or loan from the Consolidated Fund in a financial year is not less than 5 lakhs and the amount of such grant or loan is not less 75% of the total expenditure of that body or authority. The audit of accounts which the Comptroller and Auditor General will undertake is in discharge of his statutory functions.

2. The audit of the accounts of bodies or authorities which do not satisfy the definition of being substantially financed by grant or loan from the Consolidated Fund and subject to section 19 can be entrusted to the Comptroller and Auditor General under section 20 (1) of the Act read with sub-section (3) of the Section. According to this section, the

Comptroller and Auditor General will undertake the audit of the accounts of such body or authority, if requested to do so by the Governor on his being satisfied that it is expedient to entrust such audit to the Comptroller and Auditor General in the public interest. The Comptroller and Auditor General is required to be consulted before a request is made to him to undertake the audit of accounts of body or authority under section 20 of the Comptroller and Auditor General's Act. The body or authority whose accounts are to be audited is also required to be given a reasonable opportunity to make representation with regard to the proposal for such audit. The audit of the accounts can thereupon be undertaken by the Comptroller and Auditor General on such terms and conditions as may be agreed upon between him and the Government.

3. It would not be appropriate in include in the bye-laws or Rules of the body or authority providing for audit by the Comptroller and Auditor General before the process set forth in preceding paragraph is completed.

4. Proposals for entrustment under section 20 of the Comptroller and Auditor General's Act will be processed by the General Section of the Finance Department.

5. All Administrative Departments are accordingly requested to forward such proposals as and when they arise to the General Section of the Finance Department with full facts of the case together with the comments of the body or authority whose accounts are proposed to be entrusted to Comptroller and Auditor General for audit.

[H.P. Govt., F.D., O. M. No. 16-1/74-Fin. Reg., dated the 29th March. 1975]

V—RECORD OF CONTINGENT EXPENDITURE
CONTINGENT REGISTER

8.17. A register of contingent expenditure shall be kept in each office, and the initials of the head of the office or of a gazetted Government servant to whom this duty has been delegatd by him (*see* rule 8.26 below) shall be enterd against the date of payment of each item.

The register will be in H.P.F.R. Form 11. The actual details such as the number of columns to be opened, the sub-heads and detailed heads and such further detailed classification as may be required for purpose of control, will be settled by the Accountant General and the controlling authority to suit the conditions of each departments and office. As a general rule the most common sub-heads and detailed heads may have separate columns with appropriation noted at the top. The less important and trivial items may be lumped together in one column when each of the separate items need not be accounted for or watched separately. Any charge falling under any of the separate columns, but requiring explanation may be described in the column headed "Description" though the amount of it is entered only in its special column, and the same Description" column will serve also for note of the month or period to which any recurring charges entered in the other columns belong.

Note 1.—If more convenient, a separate register may be maintained for each class of contingent charges *(see* rule 8.2)

Note 2.—If during the absence of the head of the office and of the Government servant to whom this duty has been delegated, the entries have been initialled by a non-gazetted Government servant the register must be reviewed and the entries re-initialled by the head of the office or such gazetted Government servant on return to hearquarters.

Note 3.—When any sub-vouchers which should accompany a contingent bill are to follow a note to this effect should invariably be made in the "Remarks" column of the contingent register in order that the necessity for furnishing these vouchers as early as possible may not be overlooked.

Note 4.—The contingent register maintained under this rule gives full information in respect of contingent charges. It is, therefore, not necessary to prepare and preserve office copies of contingent bills.

8.18. As each payment is made, entries must be made in the contingent register of the date of payment, the name of payee and the number of sub-vouchers in the three columns to the left, and the amount in the proper column; and in the case of any charge requiring explanation, the initials of the officer incurring it shall be taken against the description.

Note.—Regarding the entries to be made in the final column, *see* rule 8.12.

8.19. To enable disbursing officer to watch the progress of the expenditure under each detailed head, as compared with the budget appropriation for it, a progressive total of all the columns must be made monthly, immediately after the monthly total, so as to include all payments under each head as also charges adjusted by book transfer (*see* rule 8.22) from the commencement of the year up to the end of the last expired month.

The charges relating to two or more major heads are not to be shown in one register nor included in one bill. But expenses which are shared in some fixed proportion between two branches of the same office may, unless they are reviewed by different authorities, appear in one bill. In such a case, the joint grant may be entered in one register only for the purposes of control, the account adjustment being left to the Accountant General.

VI—PURCHASE OF SERVICE POSTAGE STAMPS

8.20. The following procedure should be adopted by Government servants for obtaining service postage stamps from treasuries and for the adjustment of their value :-

(i) *Government servants who draw money from the treasury on contingent bills.*— A bill in From S.T.R. 33 should be prepared by the departmental officer when he requires service postage stamps. The bills should contain the acknowledgement of the drawing officer of the receipt of the stamps indented for and should in other respects be treated in the same way as a contingent bill for drawing cash from the treasury. The Treasury Officer should pass the bill for payment by transfer, have the stamps issued, and enter the amount in the list of payments, crediting the value of the stamps in the same manner as if cash were realised.

(ii) *Government servants, who draw money by cheques from treasuries.*—Cheques to be presented in payment of the value of service stamps should be drawn in favour of the officer/official designation (without name) who supplies the stamps, whether they are drawn by the officer who indents for the stamps or by a departmental officer on the indenting officer's requisition. (*See* Subsidiary Treasury Rules regarding the method of crossing such cheques).

Note 1.—Cheques drawn for obtaining stamps from treasuries are not subject to any minimum limit

Note 2.—Service postage stamps should be issued to the Railway Accounts Officers immediately when the Treasury Officer accepts the cheque and the accompanying challan; the railway authorities should not be required to obtain the receipted challan from the bank where the treasury business in conducted by the bank before issuing the service postage stamps.

The cheque should be sent to the bank by the Treasury Officer for collection with instructions that its amount should be credited in the bank's daily scroll under the head "Post Office—Sale of Service Postage Stamps".

H.P. GOVT. ORDER

(1) Service Postage Stamps to be purchased from Post Offices instead of Treasuries.— The undersigned is directed to inform you that the Indian Posts ant Telegraphs Department has changed the existing procedure of the supply of Service Postage Stamps to the Treasuries. According to this changed procedure, since switched over, the supply of Service Postage Stamps will in future be made by the C.S.D. Ludhiana to the conncerned Head Post Offices according to their requirements. No supply will be made to the Treasuries/ Sub-Treasuries.

2. As such , keeping in view this decision of the Indian Posts and Telegraphs Department, the Treasuries and Sub-Treasuries in Himachal Pradesh would not be in a position to meet the requirements of the Government Departments for the supply of Service Postage Stamps to them in future. All concerned may please be apprised of this decision and direct them to draw the Service Postage Stamps direct from the concerned Post Offices at their own level.

Please acknowledge receipt.

[H.P. Govt., F.D., O.M. No. 17-58/71-Fin (T&A), dated the 2nd September, 1981]

VII – INSPECTING OFFICER'S BILLS

8.21 An inspecting officer who is not authorised to take advances on account of office contingent charges should provide himself with a portion of his permanent advance and recoup himself from time to time by presenting at the different treasuries or offices of disbursement contingent bills, in the ordinary form.

In the case of countersigned contingent charges, one detailed bill may adjust money drawn at more than one treasury, details of places of payment of the several encashed bills, as well as their dates and amounts being noted at foot of the bill. The amounts drawn must be taken as final payments, and not as advances.

VII—INTER-DEPARTMENTAL TRANSFERS

8.22. In the case of work done by a Government factory (such as jail, mint. workshop) as also in other cases in which inter-departmental adjustments are permissible (*see* Appendix 3) the Government servant in charge shall if the adjustment is to be made by book transfer, prepare an invoice of the quantity and price of the work done, and forward it in triplicate to the Government servant served, who, on approving the invoice, will countersign all, and return one copy to the supplying Government servant. Another copy he will file in his own office, and the third he will attach to his contingent bill for the current month, noting the amount in the statement of account at foot, in order to work out the available balance of his grant, but not including it as a disbursement among the charges of his bill. Before despatching his monthly bill, he must post the amount of the work bill in his contingent register, and include it in the forward total, in order that he may agree the forward total with that shown in the statement of account on his contingent bills. In the register of the countersigning officer the amount of such a bill must in like manner be separately entered. Such invoices shall never be retained by the countersigning officer.

Note 1.—The Government servant served cannot charge the amount in his contingent bill, as no cash payment is made but only a book adjustment is made in the account office; but the amount available for contingent expenditure is reduced, and so to work out the available balance note is made in the register of contingent expenditure and in the statement of account at foot of the bill.

Note 2.—One of the invoices returned to the supplying Government servant by the Government servant supplied should have a note, in red ink, entered therein, showing in what month's departmental return credit has been taken for the value of the supply, and it should then be forwarded by the former to the Accountant General, who will adjust the amount in his books.

Note 3.—When an abstract or detailed bill includes any charge on account of work bills and such bills are not attached to it, a note should be made on it stating the particular bill to watch the work bills have been attached.

Note 4.—In case Superintendents of Jails delay in sending their work bills for March (or any other month of which the cost has not been adjusted later than the 10th of April following) Government servants supplied should remind them, so that the charges may be adjusted in that year's accounts and the submission of detailed bills may not be delayed beyond 16th April.

Disbursing officers should attach to their detailed bills for March a certificate to the effect that they have accounted for, in that or in previous month's detailed bills, the cost of all jail supplies made to them up to 31st March.

Controlling officer should not countersign and forward to the Accountant General any detailed bill for March unless it is accompanied by the certificate prescribed above. At the same time they should despatch the bill so as to reach the account office not later than 25th of April.

Note 5.—All waste paper should be carefully stored and sent periodically to the nearest paper-making jail, provided the price paid by the jail for the paper is sufficient to cover the cost of carriage.

The amount of the waste paper bill, when adjusted by transfer, should be entered in the departmental return for the same month in which the bill has been sent to the account office after obtaining the countersignature of the Superintendent of Jail irrespective of the month in which the supply has actually been made.

Note 6.—In the case of Forest Department the cost of the supplies has to be adjusted in the compiled accounts submitted to the audit office. A Government servant of this department receiving stores will adjust the amount of the invoice in his accounts by crediting it to the supplying Government servant and debiting it to the service head concerned and will send the third copy of the invoice to the audit office in support of the entry in his accounts. Similarly, if he happens to be the supplying Government servant, he will charge the amount expended in his accounts as a debit to the Government servant supplied and send the countersigned invoice to the audit office as a voucher for the expenditure.

Note 7.—Bills for telephone charges are forwarded in duplicate and not in triplicate to the Government servant served who. On approving the bill, will countersign both and return one copy to the supplying Government servant. The other copy he will submit with the contingent bill to the audit office after making the necessary notes in his contingent register.

Note 8.—The following instructions should be printed on all forms of invoices for the supply of stores, etc., and the Government servant served should be required to comply with them before accepting a bill:–

"It is essential for accounting purposes that the entries below be filled in. Failure to do so will result in unnecessary delay and return of this invoice for compliance:–

(1) Head of charge (Major and Sub-head, Primary and Secondary unit)....................

(2) Month and year to which charge relates...................................

(3) Designation of the Accounts Officers to whom the charge is debitable................

(4) Name of the State to which debitable...................................

H.P. GOVT.ORDER

(1) System of cash settlement in place of system of book adjustment.— The departments of the Government are divided into:--

(i) Service departments and
(ii) Commercial departments.

Inter-Departmental (i.e. within the same Government).— The commercial department/undertaking ordinarily charges or is charged for, any supply made or service rendered, to or by other departments of Government. This should be settled by cheques (where such departments have cheque drawing powers) or bank drafts. No book adjustment should be involved.

The service Department does not make charges against another Department, for services and supplies which fall within a class of duties for which the former department is constituted, except when expressly ordered. Hence, no monetary/accounting settlement is involved. In case of transactions between two service departments of the same Government, where manufacturing or production or supply of articles or repair operations are involved, and require settlement, the adjustment may be done away with, if the cost of service or supplies is Rs.250 or less, in each case. In case, this limit is exceeded, the system of book adjustment by the Accountant General should be done away with, and the system of cash settlement be followed under which the supplied officer will present a bill at the treasury with a challan in quadruplicate for payment by transfer credit to the head of account indicated in the challan. The Treasury Officer will retain the original copy of the challan, send the duplicate and triplicate copies to the supplied officer who will keep one copy for his record and send the other to the supplying officer and the fourth copy to the Accountant General, alongwith the bill in support of the adjustment. The Public Words, Forests and other Departments vested with cheque drawing powers may settle the claim through cheques.

In cases where some fees are levied under a particular enactment and settlement is required between two service departments, it should be made, either in cash or through bank draft.

[Para 10.1 of Chapter X of Synopsis of Recommendations made by the Team (set up by the Government of India) on Reforms in the Structure of Budget and Accounts, circulated vide H.P. Govt., F.D., letter No. 3-21/73-Fin (A), dated the June, 1973]

8.23. Government commercial concerns in Himachal Pradesh have been permitted to settle their accounts with other departments by the method of making actual payments, instead of by book transfer as laid down in paragraph 14 of Appendix 3. This system will apply both in the case of payments to be made to the concerns, and in the case of payments to be made by the concerns to other departments for services rendered or supplies made. In both cases the payments will be made by cheques, Reserve Bank Government drafts or demand drafts. Payments in cash is prohibited altogether. As the issue of a Reserve Bank Government draft for less than Rs.25 is not permissible the payment is permitted by means of postal money order of petty sums not exceeding Rs.25 either to or by concerns. Cheques or demand drafts should be crossed and marked "not negotiable Accounts Payee only" so as to ensure credit of the sale-proceeds of the cheques, etc., to a Government head of account at the treasury.

IX—EXPENDITURE FOR OTHER GOVERNMENT SERVANTS

8.24. When a Government servant makes purchases or incurs expenditure through a Government servant in another district and the amount to be paid on account of contingent expenditure incurred in this way is not less than Rs.50, payment may be made by Reserve Bank Government drafts but otherwise every Government servant who incurs expenditure in this way must treat it as expenditure of his own office, and not demand recoupment from the Government servant at whose request he, as an agent, incurs the expenditure. The charge must, however, be taken as expenditure of the department to which the Government servant requiring the expenditure is attached and therefore a

Government servant should address his applications for any service to the principal officer of his department in the district indented on, e.g., a police officer should ask the District Superintendent, not the Magistrate to purchase blankets for him. The Magistrate in such a case would pass on the indent or the voucher if he has supplied any articles, to the Police officer, who would deal with the charge not less than Rs.500 as a final one of his own office, applying to the proper authority for an extra appropriation, if his own should fall short before the end of the year. The responsibility for obtaining proper sanction should always rest with the originating Government servant.

Note.— This rule does not apply to expenditure for local funds, which should always be recovered.

X—RESPONSIBILITY OF DRAWING OFFICERS

8.25. The responsibility of drawing officers is determined by the provisions of Rule 2.31. The drawing officer is further responsible for seeing that the rules regarding the preparation of bills are carefully observed and that in the case of contract contingencies, the expenditure does not cause any excess over the amount fixed therefor. He is also to see that all steps have been taken with a view to obtaining an additional appropriation if the original appropriation has either been exceeded or is likely to be exceeded.

8.26. Where there is more than one gazetted Government servant attached to an office the head of the office may delegate to a gazetted Government servant subordinate to him the immediate responsibility for the supervision of the contingent bills and registers and checking and cancelling the vouchers. The delegation of power will not, however, relieve the head of the office of the responsibility of seeing that the grants placed at his disposal are disbursed in a proper manner and under due authority. With the extension of the system of contract grant the control of expenditure rests chiefly on him and it is important that he should make use of the authority delegated with due caution.

Note.— The disbursing officers are responsible for checking expenditure in cases where an annual limit is imposed on their spending powers. The audit will be satisfied if the disbursing officer merely furnishes a certificate either on the bill itself or separately whenever such a charge is sanctioned or incurred, to the effect that the total charges so far incurred during the year do not exceed the prescribed annual limit.

XI—RESPONSIBILITY OF CONTROLLING OFFICERS

8.27. It is the responsibility of the countersigning officer to see that items of expenditure included in a contingent bill are of obvious necessity, and are at fair and reasonable rates; that previous sanction for any item requiring it order; that the calculations are correct and specially that the grants have not been exceeded nor are they likely to be exceeded, and that the Accountant General has been informed either by a note on the bill or otherwise of the reason for any excess over the monthly proportion of the appropriation. If expenditure be progressing too rapidly he should communicate with the drawing officer and insist on its being checked.

CHAPTER IX

Miscellaneous Charges

I — REFUNDS

9.1. (a) Subject to the provision of the relevant Acts and rules made thereunder a competent authority may accord sanction to a refund of revenue which may either be given on the vouchers itself or quoted in it, a certified copy being attached when such orders are not separately communicated to the Accountant General.

(b) Refunds of revenue are broadly classified as--

(i) refunds to which the claimants are legally entitled; and

(ii) refunds which are made *ex-gratia* Government being under no legal obligation to make them.

Note 1.—Refunds of revenue are not registered as expenditure for purposes of grants or appropriation.

Note 2.—Remissions of revenue allowed before collection are treated as reductions of demands and cash payments of revenue after collection as refunds.

(c) No check can be exercised over refunds of revenue in the account office except in cases where full details of the collections of such revenue are received in that office, either through the treasury accounts or other documents, e.g., fine statements. It is, Therefore, essential that every refund should be noted against the original credit in the departmental accounts or other documents in which the moneys received are entered in detail and a certificate of such a note having been made must be given in all vouchers for refunds.

9.2. Refunds of stamps by courts can be made in the same way as refunds of fines. Refunds by district officers are regulated by departmental rules.

9.3. (a) Refunds of passport fees should be allowed in cases where the application for a passport is withdrawn before it reaches the State Government.

(b) Refunds are allowed on court-fee stamps affixed to passport applications which are rejected by Government. There is no time-limit for allowing such refunds on this account.

9.4. Before a remission or refund of any kind, otherwise in order, is allowed, the original demand or realization, as the case may be, must be traced and a reference to the remission or repayment should be so recorded against the original entry in the cash book or other document as to make the entertainment of a double or erroneous claim impossible. Any acknowledgement previously granted should, if possible, be taken back and destroyed and a note of the repayment recorded on the counterfoil of the receipt.

Note 1.—As a precaution against double refunds of land revenue or other receipts the details of which are not furnished to the Accountant General, the amount and the date of each such refund should be noted by the Treasury Officer against the original item of credit in the treasury receipt register or in the cash book if the item has not been credited in a separate receipt register.

Note 2.—Payments on account of refunds should be recorded by the Treasury Officer in a register in H.P.F.R. Form 13. In the column "Miscellaneous Refunds" only those items will be entered which cannot be recorded under any other column in the form.

Note 3.—A Collector or other Government servant concerned should on passing an order of refund at once issue to the payee a refund order combined with a notice inviting the persons to whom the refund is to be made to receive payment at the treasury.

Note 4.—There is no objection to the payment of the refund vouchers of revenue deposits through a recognised bank in whose favour they are endorsed by the payee.

II—COMPENSATION FOR LAND

9.5. The procedure to be observed for the payment of compensation for land taken up for public purposes is regulated by the rules in Appendix 14.

9.6. In case where landed property is acquired by Government by voluntary agreement, the department concerned should be careful to see that in order to avoid any possible claims for interest, payment is made before or immediately after taking possession. If for any reason, this course is impracticable, the circumstances of the case should be reported through the Commissioner and Financial Commissioner for the information of Government. All preliminaries to acquisition, such as examination of title deeds, etc., should be completed before possession is taken.

CHAPTER X

Loans and Advances

I — GENERAL

(I) Sanctions

10.1. A competent authority may sanction loans and advances to private individuals, local bodies and Government servants for the purposes and subject to the conditions specified in the following rules.-

(II) Estimates

10.2. Provision should be made in the budget for all loans and advances which can be foreseen; a timely estimate both of the advances and of the recoveries of the coming year should, therefore, be made in accordance with the provisions of the Himachal Pradesh Budget Manual.

II—LOANS TO LOCAL BODIES, REVENUE ADVANCES, ETC.

(I) Issue of Loan Money

10.3. Unless in any case Government direct otherwise the issue of loan money shall be governed by the following rules :--

(i) Every loan granted to municipality or other corporation will be recorded in the books of the Accountant General and no part of it can be issued except under his authority (*see* Subsidiary Treasury Rules).

(ii) No department or Government servant may incur any expenditure or any liabilities against a sanctioned loan, unless a statement in writing is first obtained from the Accountant General that the amount is available out of such loan and has been placed by him in a separate account so as to be available for the proposed expenditure.

(iii) The Accountant General before furnishing the statement mentioned in the preceding clause, will ascertain that the municipality or other party responsible for the loan has assented to the arrangement or that it is distinctly stated by the Government among the terms of the loan.

(iv) Funds spent under clause (ii) shall reckon for interest as if they were drawn on the last day of the month in the accounts of which they are included by the spending department or Government servant.

(II) Conditions of Repayment

10.4. Loans and advances are usually made to local bodies under the following rules:--

(a) A specific term should be fixed which should be as short as possible, within which each loan or advance should be fully repaid with interest due. The term may in very special cases extend to 30 years.

(b) The term is to be calculated from the date on which the loan is completely taken up or declared by the competent authority to be closed.

(c) The repayment of loan should be effected by instalments which should ordinarily be fixed on a half-yearly or yearly basis, due dates for payment being specially provided.

(d) Instalments paid before the due date will be taken entirely to principal unless, of course, any interest for a preceding period is overdue.

Note 1.—When a loan of public money is taken out in instalments the first half-yearly repayment should not be demanded until six months after the last instalment is taken; meanwhile simple interest only should be realised. But, should it appear that there is undue delay on the part of the debtor in taking out the last instalment of a loan, the Government may, at any time, declare the loan closed and order repayment of capital to begin. The Accountant General will bring to notice any delay that appears to him to require this remedy and he will take this step whether there are any dates fixed for the taking of instalments or not.

Note 2.—If, in any case, dates have been fixed for the payment of interest, or the repayment of instalments of debt, then such repayment should not begin, until the second of the half-yearly dates so fixed after the loan has been completely taken up, simple interest only recovered on the first half-yearly date after the completion of the loan. For example, supposing a loan the interest on which is recoverable half-yearly to be completely taken up on 31st March and the interest to be payable on 30th June and 31 December, the first half-yearly instalment in repayment of principal will not be due until 31st December following. Simple interest only will be due on the intermediate 30th June.

Note 3.—Notes 1 and 2 are applicable *mutatis mutandis* to loans the repayments of which are made by other half-yearly instalments.

Note 4.—It must be remembered that the calculation fixing the amount of equal periodical instalments, by which an advance is repaid with interest, presupposes punctual payment of the instalments and that, if any instalment is not punctually repaid, the fixed instalment will not in the end discharge the loan.

(III) Interest

10.5. (i) Interest should be charged at the rate provided by Government for any particular loan or for the class of loans concerned.

(ii) A loan bears interest for the day of advance, but not for the day of repayment. Interest for any shorter period than a complete half-year should be calculated as

$$\frac{\text{Number of days X yearly rate of interest}}{365}$$

unless any other method of calculation is prescribed in any particular case or class of cases. The amount of interest received should be credited to the [1]head "0049—Interest Receipts—Interest on Loans and Advances by the State Government."

(IV) Defaults in Payment

10.6. Borrowers should be required to adhere strictly to the terms settled for the loans, made to them. Modifications of those terms in their favour can be made subsequently only for very special reasons.

10.7. (a) Any default in the payment of interest upon a loan or advance or in the payment of the principal, will be promptly reported by the Accountant General to the Government. On receipt of such a report the Government should immediately take steps to get the default remedied.

Note.— The responsibility of the Accountant General under this rule refers only to the loans the detailed accounts for which are kept up by him.

(b) The authority which sanctions a loan may, in so far as the law allows, enforce a penal rate of compound interest upon all over-due instalments of interest, or principal and interest. If a penal rate is enforced, it should not be less than 8 per cent per annum.

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[1] In rule 10.5 (ii), the Head of Account has been changed from "049" to "0049" due to revision of the structure of classification w.e.f. 1-4-1987.

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(V) Plus and Minus Memorandum maintained at Treasuries in connection with Revenue Advances

10.8. If a Government servant authorised to make revenue advances desires to question the accuracy of the *plus* and *minus* memorandum of loans and advances maintained at the treasury in which transactions of each loan are separately recorded (*vide* Article 90 of Account Code, Volume II), he must address the Accountant General and satisfy him as to its incorrectness and ask him to correct it. Every Government servant should, therefore, see that the debits and credits made to his account accurately correspond with those which enter his own registers and returns. If he is not the district officer, he should obtain from the treasury a copy of the *plus* and *minus* memorandum with which he is concerned. Special care should be taken in paying recoveries into the treasury to show the amount of interest and of principal separately so that they may be separately credited in the treasury accounts, as the former must not, and the latter must be, credited in the treasury *plus* and *minus* memorandum of loans and advances.

Note.— In the case of Takavi advances recoveries effected in one district on account of advances made in another district, should not be included in the *plus* and *minus* memorandum of the treasury in which the recovery is effected but shown separately as distirct items in the miscellaneous portion of the cash account, the intimation of the recovery being at the same time sent to the Treasury Officer who has made the advance so that the may include it in his *plus* and *minus* memorandum. Recoveries on account of Public Works *Takavi* Advances should be shown distinctly in the schedule of unclassified items appended to the cash account.

(VI) Revenue Department Returns

10.9. (a) With every return of revenue advances made to the revenue authorities a memorandum should be submitted setting forth the figures of the treasury *plus* and *minus* account, and agreeing them with the figures of the return.

(b) The Accountant General will at the close of every half-year's accounts, send to the Financial Commissioner as the chief revenue controlling authority a return in such form as may be agreed upon, showing the figures that pass upon his books in respect of revenue advances. The object of the statement is to enable the chief revenue authority to check the reconciliation prescribed in clause (a).

(VII) Irrecoverable Loans and Advances

10.10. A competent authority may remit or write off any advances which may be found irrecoverable or otherwise. Such loans or advances should be debited to the State Revenues by *per contra* credit to the loan or advance account concerned

See Note 2 below Rule 18.3.

10.11. In respect of revenue or other advances for the detailed control, accounting and supervision of which departmental officers are responsible, it is the duty of the departmental authorities concerned as soon as any such advance is ascertained to be irrecoverable, to take necessary steps to get it written off the accounts under the sanction of competent authority and to advise the Accountant General, in order that he may make the necessary adjustment in the accounts. Irrecoverable advances written off should, nevertheless, be registered by the departmental authorities in a separate account or record, in order that any possible eventual recovery be made; such recoveries will not affect the treasury *plus* and *minus* memorandum, and will be taken as revenue. *See* also note below Article 90 of Account Code, Volume II.

Note 1.—In the case of revenue and other advances mentioned in para 10.7 of Himachal Pradesh Budget Manual (First Edition), the responsibility for supervision, accounting and control devolves upon the departmental authorities.

Note 2.—In the case of loans to private individuals or private parties under any scheme, the detailed accounts of such loans shall be maintained by the departmental authorities concerned instead of the Accountant General, Himachal Pradesh. The departmental authorities will also be responsible to watch their recoveries and to see that conditions attached to each loan or advance are fulfilled. The Accountant General will, however, continue to maintain detailed accounts and watch the recovery, and the fulfilment of the conditions in the case of loans to the institutions and organisations, etc.

(VII) Annual Review

10.12. An annual report upon outstanding loans and advances will be submitted by the Accountant General for review by the Government.

H.P. GOVT. ORDERS

(1) Levying of a guarantee fee by the State Government.— I am directed to say that *vide* this Deptt.'s letter No. 10-4/72-Fin (W&M) dated the 15th January, 1973, Government's decision to charge a fee of half a percent (1/2%) on the total amount of each guarantee given by the State Government was conveyed to you. Suggestions have been made that the guarantee fee by charged on the actual amount of loan availed against the State guarantee. It has also been noticed that guarantee fee in many cases is not being deposited promptly within the stipulated period of one month. The matter has been considered and it has been decided now as under:–

1. Rate of guarantee fee should be 0.5% as at present.
2. The guarantee fee would be charged on the amount of loan actually availed.
3. In addition to guarantee fee, the commitment charge will be levied at 0.1% of the total amount of guarantee asked for so that there will be some dis-incentive to the Corporations/Boards/ Co-operative Institutions against making proposals for seeking State guarantee for higher amount than actually needed.
4. Initially the Corporation or Board shall deposit (within one month) the entire guarantee fee on the whole amount guaranteed (@ 0.5%) plus the commitment fee (0.1%) i.e. a total of 0.6% of the total amount of guarantee. At the end of the financial year the concerned Corporation/Board/Institution shall indicate the actual highest amount of credit availed of duly supported by bank documents. If such amount is less than the amount for which guarantee was given the concerned Corporation/Board/Institution shall be allowed a refund of the proportionate amount of guarantee fee.
5. Individual cases for exemption from payment of guarantee fee will be considered on merit by F.D. where concessional finance is provided by RBI/IDBI to Co-operative Institutions/ H.P. Financial Corporation/Himachal Road Transport Corporation.

2. I am request you kindly to ensure that these instructions are kept in view, while approaching the Finance Department for obtaining approval for such guarantees.

3. Kindly acknowledge receipt of this letter.

[H.P. Govt., F.D., letter No. Fin-2-C (9) 24/85 (W&M), dated the 7th June, 1986]

(2) Accounting procedure when guarantees given by Government are invoked.— The undersigned is directed to refer to the instructions contained in this Department's O.M. of even number dated 15th March, 1978 and 30th June, 1978 regarding the accounting of expenditure arising out of invocation of guarantees given by the Government of India and State Governments for repayment of loans .etc. raised by statutory corporations, local bodies, other institutions and private parties. These instructions are being consolidated and further clarified as below in consultation with the Comptroller and Auditor General of India.

2. When guarantees are invoked the expenditure involved should be treated as a loan to the person/parties in whose behalf the guarantees were given and recoveries there-against should be watched. Both the expenditure and recoveries, if any, should be classified in the accounts of the concerned Government under a distinct sub-head "Loans on invoking guarantees given by Government" under the relevant loan major/minor head, with the name of the loanee exhibited as a detailed head. If in due course, the whole or a part of the loan amount is finally held to be irrecoverable the same should be adjusted in the manner indicated below:-

a) Where a Guarantee Reserve Fund already exists, the amount of loan held to be irrecoverable should be adjusted by debit to the Fund by following the accounting procedure prescribed for accountal of expenditure financed from Reserve Funds, *vide* para 3.4 of General Directions in the List of Major and Minor Heads of Account.

b) Where a Guarantee Reserve Fund does not exist the amount of loan held to be irrecoverable should be adjusted under the "Irrecoverable loans written off" under the Major/Sub-Major Head relevant to the purpose/function for which the loans etc. had been granted. Where, however, the loans cannot be identified with any purpose/function, the amount should be adjusted under the aforesaid Minor Head under the Major Head "268-Misc. General Services" *vide* para 3.3 of the General Directions in the List of Major and Minor Heads of Account.

3. These instructions would take effect from the accounts of 1978-79.

4. This Office Memorandum supersedes the earlier ones of even number dated the 15th March. 1978 and 30th June, 1978 referred to above.

[G.I.,M.F., O.M. No. F.I (34)- B (AC/76, dated the 8th August, 1979, circulated vide H.P. Govt., F.D., O.M. No. 11-3/71, dated the 5th December, 1979]

(3) Proforma for maintenance of account of petty loans and advances to Government servants and agriculturists, etc.— See Order (23) in the Annexure at the end of this Chapter.

(4) Rubber stamps indicating complete Loan Heads of Accounts to be prepared and affixed on bills/challans while drawing/depositing money from/into treasuries.— See Decision below Rule 4.7 of H.P. Subsidiary Treasury Rules.

(5) Rates of interest effective from 1st April, 1972 for individuals and from 1st December, 1971 for institutions/corporate bodies.— The undersigned is directed to say that the question of fixation of rates of interest on various loans and advances given by the State Government has been under the consideration of the Government for some time past. It has now been decided that the rates of interest chargeable on various loans and advances will be as per statement enclosed.

2. These rates will take effect from the 1st April, 1972 in the case of loans and advances given to individuals and with effect from the 1st December, 1971 in respect of the loans given to the institutions/Corporate Bodies.

3. The rates of interest already circulated with this Department letter No. 3-64/68-Fin. (Bud), dated the 28th August, 1970 will remain operative till the dates fixed for the revised interest rates as stated in para 2 above.

[H.P. Govt. F.D., O.M. No. 3-64/68-Fin. (Bud). II, dated the 30th November, 1971]

Statement showing the rates of interest chargeable on various loans

Sl. No.	Nature of loan	Revised rate of interest
I	NON-PLAN	
	1. Loans to Municipalities (Term 12 years)	7 %
	2. ADVANCES TO CULTIVTORS	
	i) For general improvement of land (other than Horticulture) (12 years term)	7 %
	ii) To fire and flood sufferers (12 year term)	7 %
	iii) To agriculturists in cases of distress (term 12 years)	7 %
	iv) For soil conservation works (term 15 years)	7 %
	v) To agriculturists for grant of *taccavi* loans (seeds etc.) (term 1-3 years)	6 %
	3. MISCELLANEOUS LOANS AND ADVANCES.	
	i) Scholarship loans for Post-Graduate and Technical students. (term more than 4 years)	6 ½ %
	ii) Interest free loans to Scheduled Castes and Scheduled Tribes.	Question does not arise
	4. LOANS TO STATUTORY CORPORATIONS, BOARDS AND GOVERNMENT COMPANIES.	
	State Electricity Board, (term 12 years)	6 ½ %
	5. LOANS TO GOVERNMENT SERVANTS ETC.	
	i) Advances for purchase of Motor Conveyance (term 6¾ years).	6 ½ %
	ii) Advances for purchase of other conveyance (term 1 to 5 years).	6 ½ %
	iii) a) Warm Clothing Advance	5 ½ %
	b) House Building Loans	6 %
	c) Advance to Class IV Govt. servants for purchase of fans (term within 2 years).	5 ½ %
II	PLAN	
	1. LOANS TO LOCAL FUND/RIVATE PARTIES.	
	i) Soil conservation works (term 15 years)	7 %
	ii) Establishment of Garden Colonies in Kinnaur Destt. (term 15 years)	7 %
	iii) Development of Fruit Production (term 15 years)	7 %
	iv) Intensification of Grapes in Kinnaur District. (term 15 years)	7 %
	v) Intensification of Grapes wine cultivation (term 15 years)	7 %

vi)	For purchase of tractors/power tillers/pumping sets etc. (term 5 years. Now being utilised for Mushroom cultivation.)	7 %
vii)	Regulated Markets. (term 10 years)	7 %

2. LOANS TO STATUTORY CORPORATIONS, BOARDS AND GOVT. COMPANIES.

i)	Nahan Foundry Ltd. (7 years term)	7 ½ %
ii)	State Electricity Board (term 12 years)	6 ½ %

3. LOANS TO CO-OPERATIVE INSITIUTIONS/BANKS

i)	For the construction of Rural Godowns (term 15 years)	7 ½ %
ii)	Loans for construction of Godowns by Marketing Societies (term 15 years)	7 ½ %

4. MISCELLANEOUS LOANS AND ADVANCES.

i)	Development of Handloom Industry (3-7 years)	7 %
ii)	Development of Small scale Industries (3-7 years)	7 %
iii)	Housing Schemes:	
	a) Low income Group Scheme (term 3 years)	7 %
	b) Village Housing Scheme (term 20 years)	7 %
	c) Middle Income Group Scheme (term 30 years)	7 %
	d) Subsidised Industrial Housing Scheme (term 3-7 years)	7 ½ %
	e) To Panchayati Raj Bodies for creation of remunerative assets. (term 20 years)	7 %
	f) Loans to students undergoing training at Polytechnics (term 10 years)	6 ½ %

CENTRALLY SPONSORED SCHEMES

Non-Plan.

National Loan Scholarship	Interest free

Plan.

i)	Soil conservation works in River V. Projects (term 15 years)	7 %
ii)	H.P.Co-op. Bank LTd. as contribution to its agricultural credit stabilisation fund (term 25 years)	7 %
iii)	Intensive Rural Industries Project (term 10 years)	7%
iv)	National Loans Scholarship Scheme	Interest free
v)	Loans to repatriates from Burma	6 %

[Enclosure to H.P. Govt., F.D. letter No. 3-64/68-Fin. (Bud.)II, dated 30th November, 1971]

(6) Rates of interest effective from 1st April, 1974.— The question of revision of rates of interest on various loans and advances given by the State Government has been under consideration of the Government for some time past. It has now been decided that the rates of interest chargeable on various loans and advances will be as per statement enclosed.

2. These rates will take effect from the 1st April, 1974.

3. The rates of interest already circulated with this Department Office Memorandum No. 3-64/68-Fin.(Bud)II, dated the 30th November, 1971, will remain operative till the date fixed for the revised interest rates as stated in para 2 above.

[H.P. Govt., F.D., O.M. No. 5-22/73-Fin.(W & M), dated the 16th November, 1974]

STATEMENT SHOWING THE REVISED RATES OF INTEREST CHARGEABLE ON VARIOUS LOANS FROM 1-4-1974

S.No.		Nature of loan	Revised rates of interest
1.		Loans to Municipalities	7 ¾ %
2.		ADVANCES TO CULTIVATORS	
	i)	For Improvement of Land (other than Horticulture)	7 ¾ %
	ii)	To fire and flood sufferers	7 ¾ %
	iii)	To Agriculturists in cases of distress	7 ¾ %
	iv)	For purchase of seed	6 ¾ %
	v)	For Soil Conservation Works	7 ¾ %
3.		LOANS TO GOVERNMENTT SERVANTS	
	i)	Purchase of Motor Conveyance	7 %
	ii)	Purchase of other Conveyance	7 %
	iii)	House Building Advance	7 %
	iv)	Warm Clothing Advance	6 %
4.		LOANS TO LOCAL FUND/PRIVATE PARTIES	
	i)	Soil Conservation Works	7 ¾ %
	ii)	Establishment of Garden Colonies	7 ¾ %
	iii)	Issue of Fertilisers on Taccavi loans	6 ¾ %
	iv)	Development of Fruit Production	7 ¾ %
	v)	Intensification of grape wine cultivation	7 ¾ %
	vi)	Construction of tube wells percolation tanks, pumping sets etc.	7 ½ %
	vii)	Intensification of raisin grapes in Kinnaur District	7 ¾ %
	viii)	Regulated Markets.	7 ¾ %
	ix)	Purchase of tractors/power tillers	7 ½ %
	x)	Development of Mushroom cultivation	7 %

5.	LOANS TO STATUTORY CORPORATIONS/BOARDS AND GOVERNMENT COMPANIES			
	i)		Loans to Nahan Foundry	9 %
	ii)		State Electricity Board	7 ¾ %
	iii)		Mineral Industrial Development Corporation.	9 %
	iv)		Small Scale Industries and Export Corporation.	9 %
	v)		Housing Board	8 %
	vi)		Agro-Industries Corporation	9 %
	vii)		H. P. Financial Corporation	9 %
6.	LOANS TO CO-OPERATIVE INSTITUTIONS AND BANKS			
	i)		Construction of Rural godowns	7 ¾ %
	ii)		Construction of godowns by Marketing Societies	7 ¾ %
	iii)		Construction of Cold Storage	7 ¾ %
7.	MISCELLANEOUS LOANS AND ADVANCES			
	i)		Scholarship loans for Post-Graduate and technical studies	7 %
	ii)		Loans to Scheduled Castes and Scheduled Tribes	----
	iii)		Development of Handloom Industries	9 %
	iv)		Development of Small Scale Industries	9 %
	v)		Housing Schemes	
		i)	Low Income Group Scheme	7 ½ %
		ii)	Village Housing Scheme	7 ½ %
		iii)	Middle Income Group Scheme	7 ½ %
		iv)	Subsidised Industrial Housing Scheme	7 ½ %
		v)	Students undergoing training at Polytechnics	7 %
		vi)	Panchayati Raj Bodies for Creation of Remunerative assets	8 %
		vii)	Loans for intensive Rural Industries	8 %
		viii)	Loans for schemes being operated by the H.P. State Electricity Board (Centally Sponsored)	
8.	CENTRALLY SPONSORED SCHEMES			
	i)		National Loan Scholarship	Interest free
	ii)		Soil Conservation Works in R.V.P.	7 ¾ %
	iii)		Strengthening the Agg. Stab. Fund	8 %
	iv)		H.P. Fruit Grower Co-operative Marketing and Processing Societies	8 %
	v)		Loans for construction of godowns	7 ¾ %
	vi)		Loans for construction of Cold Storage	7 ¾ %
9.	Average Rate Interest on Capital Outlay. Commercial Deptt.			7 %
10.	COMMUTED VALUE OF PENSION UNDER CAPITAL MAJOR HEAD 120-PAYMENT OF. COMMUTED VALUE			7 %

[Enclosure to H.P., Govt., F.D., O.M. No. 5-22/73-Fin. (W&M), dated the 16th November, 1974]

(7) Rates of interest effective from 1st April, 1976.— The question of revision of rates of interest on various loans and advances given by the State Government has been under the consideration of the Government for some time past. It has now been decided that the rates of interest chargeable on various loans and advances will be as per statement enclosed.

2. The rates will take effect from the 1st April, 1976.

3. The rates of interest already circulated with this Department office memorandum No. 5-22/73-Fin. (W&M) dated the 16th November, 1974 will remain operative till the date fixed for the revised interest rates as stated in para 2 above.

STATEMENT SHOWING THE REVISED RATES OF INTEREST CHARGEABLE ON VARIOUS LOANS FROM 1-4-1976

S.No.	Nature of loan		Revised rates of interest
1.	Loans to Municipalities		8 ½ %
2.	Advances to Cultivators		
	i)	For Improvement of Land (other than Horticulture)	8 %
	ii)	To fire and flood sufferers	8 %
	iii)	To Agriculturists in cases of distress	8 %
	iv)	For purchase of seed	7 ¾ %
	v)	For Soil Conservation Works	8 %
3.	LOANS TO GOVERNMENT SERVANTS		
	i)	Purchase of Motor Conveyance	7 %
	ii)	Purchase of other Conveyance	7 %
	iii)	House Building Advance	7 %
	iv)	Warm Clothing Advance	6 ½ %
4.	LOANS TO LOCAL FUND/ PRIVATE PARTIES		
	i)	Establishment Garden Colonies	8 %
	ii)	Issue of Fertiliser on Taccavi loans	7 ¾ %
	iii)	Development of Fruit Production	8 %
	iv)	Intensification of grape wine cultivation	8 %
	v)	Construction of tube wells percolation tanks, pumping sets etc.	8 ½ %
	vi)	Intensification of raisin grapes in Kinnaur District	8 %
	vii)	Regulated Markets.	10 %
	viii)	Purchase of tractors/power tillers	10 %
	ix)	Development of Mushroom cultivation	8 %
5.	LOANS TO STATUTORY CORPORATIONS/BOARDS AND GOVERNMENT COMPANIES		
	i)	Loans to Nahan Foundry	9 %
	ii)	State Electricity Board	7 ¾ %
	iii)	Mineral Industrial Development Corporation.	10 %
	iv)	Small Scale Industries and Export Corporation.	10 %
	v)	Agro-Industries Corporation	10 %
	vi)	H. P. Financial Corporation	10 %

	vii)	Housing Board	9 %
	viii)	H. P. Tourism Dev. Corporation	10 %
	ix)	H. P. State Forest Corpn. Ltd.	10 %
	x)	H. P. State Handicraft and Handloom Corpn.	8 %
6.	LOANS TO CO-OPERATIVE INSTITUTIONS AND BANKS		
	i)	Construction of Rural godowns	8 3/4 %
	ii)	Construction of godowns by Marketing Societies	8 3/4 %
	iii)	Construction of Cold Storage	8 3/4 %
7.	MISCELLANEOUS LOANS AND ADVANCES		
	i)	Scholarship loans for Post-Graduate and technical studies	7 1/4 %
	ii)	Loans to Scheduled Castes and Scheduled Tribes	—
	iii)	Development of Handloom Industries	10 %
	iv)	Development of Small Scale Industries	10 %

[H.P.Govt., F.D. O.M. No. 5-1/75-Fin (W&M), dated the 4th June, 1976]

(8) Revised rates of interest effective from 1st April, 1976 for certain types of loans.— Continuation this Department Office Memorandum of even No. dated the 4th June, 1976.

2. It has been decided that the revised rates of interest chargeable on the following types of loans will be as shown against each : –

A.	Housing Schemes		
	(i)	Low Income Group Schemes	7 1/2 %
	(ii)	Village Housing Scheme	7 1/2 %
	(iii)	Middle Income Group Schemes	7 1/2 %
	(iv)	Subsidised Industrial Housing Scheme	8 3/4 %
B.	Students undergoing training at Polytechnics		7 %
C.	Loans for Intensive Rural Industries		9 %
D.	Panchayati Raj Bodies for creation of remunerative assets		9 %
E.	Centrally Sponsored Schemes		
	i)	National Loan Scholarship	Interest free
	ii)	Soil Conservation works in RVP	1 % over and above the rates fixed by Govt. of India.
	iii)	H.P. Fruit Growers Co-op. Societies	- do -
	iv)	Strengthening the Agriculture Stabilisation Fund	- do -
	v)	Loans for construction of Godowns	- do -
	vi)	Loans for construction of cold storage	- do -

3. These rates will take effect from 1st April, 1976.

4. The rates of interest pertaining to loans for Housing and Centrally Sponsored Schemes already circulated with this Department Office Memorandum No.5-22/73-Fin (W&M), dated the 16th November, 1974 will remain operative till the date fixed for the revised interest rates as in para 3 above.

[H.P. Govt., F.D. O.M. No. 5-1/75-Fin (W&M), dated the 29th January, 1977]

(9) Rates of interest effective from 1st April, 1978.— प्रदेश सरकार द्वारा दिये गये ऋणों तथा अग्रिम पर ब्याज की दर निर्धारण का प्रश्न सरकार के विचाराधीन रहा। इस में पूर्व ब्याज की दर ऋण सम्बन्धी योजना के अनुसार निर्धारित की जारी रही है। अब सरकार ने यह निर्णय किया है कि ब्याज की दर निर्धारण के लिए विभिन्न योजनाओं का वर्गीकरण किया जावे तथा ब्याज की दर वर्गीकृत आधार पर लागू की जावें। इस निर्णय के अनुसार वर्गीकृत आधार पर ब्याज की दरों का निर्धारण किया गया है तथा यह दरें संलग्न अनुलग्नक में दी गई है। ब्याज की यह दरें 1–4–1978 से लागू की गई है।

संलग्नक में दिये गये वर्गीकृत ऋणों पर ब्याज की दर निर्धारण के अतिरिक्त निम्नलिखित निर्णय भी किये गये तथा यह निर्णय भी 1–4–1978 से लागू किये गये हैं :–

(1) जिन योजनाओं का वर्णन वर्गीकृत आधार पर किये गये ऋणों पर ब्याज की दर के अंतर्गत नहीं आता उन योजनाओं पर ब्याज की दर वित्त विभाग की पूर्वानुमति से गुणकम के आधार पर प्रशासी विभाग द्वारा निर्धारित की जायेगी।

(2) केन्द्रीय प्रायोजित योजनाओं के अंर्तगत दिये ऋणों पर तथा ऐसी योजनाओं के अंतर्गत दिये गये ऋणों पर जिन के लिए वित्तीय संस्थानों से ऋण लिया जाता है, ब्याज की दर प्रत्येक योजना के गुणकम के आधार पर वित्त विभाग की पूर्वानुमति से प्रशासी विभाग द्वारा निर्धारित की जायेगी।

ये निर्णय तथा बयाज की दरें 1–4–1978 से लागू होंगी।

विभिन्न ऋणों तथा अग्रिम पर ब्याज की नई दरें।

क्रमांक	ऋणों की श्रेणी	ऋण योजनाओ का संक्षिप्त विवरण	नई दरें/ प्र०श०
1.	कृषको को ऋण	कृषि, बागवानी, सिंचाई भू एवं जल संरक्षण कार्यकम, बीज तथा उर्वरक खरीदने आदि की सभी प्रकार की स्कीमों के अन्तर्गत ऋण, तकावी ऋण प्रथा पीडित कृषकों को	8
2.	सहकारी संस्थओ को ऋण।	सहकारी समिति प्रथा सहकारी बैकों को सभी प्रकार के ऋण।	8 ¾

3.	सरकारी वाणिज्यिक उपकमों को ऋण	आवास बोर्ड को ऋण, बिजली बोर्ड को ऋण, हेन्डीकाफटस तथा हैन्डलूम कारपोरेशन को ऋण, नाहन फाउंडरी को ऋण।	9
4.	औद्योगिक प्रगति के लिये ऋण	अन्य निगमों को ऋण, हथकर्घा उद्योग, लघु उद्योग, ग्रमीण/ कुटीर अद्योग	9
5.	आवास के लिये ऋण	सभी प्रकार की आवास योजनाओं के अर्न्तगत ऋण	7 ½
6.	सरकारी कर्मचारियों को ऋण	1. मोटर कारें खरीदने क लिये अग्रिम	8
		2. स्कूटर तथा अन्य वाहन खरीदले के लिये अग्रिम	7
		3. गृह निर्माण अग्रिम	7
		4. गर्म कपड़ा खरीदने के लिये अग्रिम	6½
7.	विभिन्न ऋण तथा अग्रिम	मुशरूम उत्पादन विनियमित विपणी हेतु ऋण तथा अन्य ऋण	8
8.	शिक्षा कि लिये ऋण	शिक्षा के लिये ऋण तथा पालिटैक्नीकस में शिक्षा के लिये ऋण।	7
9.	स्थानीय संस्थओं को ऋण	म्यूनीसिपल कमेटी/निगम को ऋण/पंचायतों को ऋण।	8 ½

[H.P. Govt., F.D. O.M. No. 5-1/75-Fin (B), dated the 23rd September. 1978]

(10) Rates of interest effective from 1st April, 1984.— The undersigned is directed to state that due to increase in the rate of interest on the loans, which are granted by the Central Government to the State Government for various purposes, the question of revising the present rate of interest on Government loans which are granted by the State Government for various purposes was receiving attention for sometime past. It has now been decided that the rates of interest chargeable on loans shall be as under with effect from the beginning of the current financial year, i.e. 1-4-1984 :—

1. (a) Loans to third parties (all schemes covering loans to individuals other than Govenrment servants and farmers under any scheme except centrally sponsored scheme) ... 9%

(b) (1) Loans to Marginal Farmers ... 7%

(2) Loans to Small Farmers ...	8 %
(3) Loans to other (big) Farmers ...	10 %
2. Advances to Government servants:	
(a) Housing building advance:	
For the first Rs. 25,000/- ...	7 % per annum
For the next Rs. 25,000/- ...	8.5 % per annum
For the next Rs. 25,000/- ...	10.5 % per annum
For the next Rs. 50,000/- ...	12 % per annum
(b) Advance for :	
(i) purchase of car ...	9.5%
(ii) purchase of Motor Cycle/Scotor/Cycle ...	9.5 %
(iii) puchses of Warm Clothing ...	9 %
(iv) Festival advance ...	
3. Loans to Local Bodies ...	9 %
4. Loans for Education ...	Interest free

Interest rates per cent per annum

Period of Loans

	Upto 1 year	*2-4 years*	*5-9 years*	*9-15 years*	*Above 15 years*
5. Loans to Co-operative Societies ...	9 ¼	9 ¾	10 ¼	10 ¾	11
6. Loans to Electricity Board ...	9 ¼	9 ¾	10 ¼	10 ¾	11
7. Industries and Commercial Undertakings in the Public Sector :					
i) Other than loans for meeting working capital requirements/cash deficits ...	12 ½	12 ½	13	13 ½	*
	*Repayment period to be limited to 15 years				
ii) Working Capital Loans/ loans for meeting cash deficits ...	15 ½	15 ½	15 ½	*	*
	*Repayment period not to exceed 5 years.				
8. In all other cases, including interest on Government contributions from HRTC ...	10	10	10	10	10

The penal rate of interest will be 3% in all cases where instalments of repayment of loans or interest are not paid in time.

2. The rate of interest on loans in respect of the Centrally Sponsored Schemes and Schemes financed out of the borrowed funds of the financial institutions shall be fixed by the Administrative Department concerned in consultation with the Finance Department in each case in accordance with the terms and conditions and merits of each case.

3. It has further been decided that rates of interest on loans in respect of the scheme not covered under paras 1 and 2 above shall also be fixed by the A.D. concerned in consultation with the Finance Department, in each case.

[H.P. Govt., F.D. O.M. No. Fin 2-C (17)19/84-W&M, dated the 6th September, 1984]

(11) Rates of interest effective from 4th April, 1987.— In continuation of this Department's Office Memorandum No. Fin 2(C) (17)19/84-W&M, dated 6th September, 1984, on the above subject, I am directed to say that the following revised rates will apply in the case of loans to Cooperative Societies, Electricity Board, Industrial and Commercial Undertakings in Public Sector etc. with immediate effect :-

		1-5 years	*6-10 years*	*11-15 years*
I.	Cooperative Societies	10 %	10.5 %	11 %
II.	Loans to Powers Boards	10 %	10.5 %	11 %
III.	Loans to Industrial & Commercial Undertakings in Public Sector			
	a) Investment Loans	14 %	14.5 %	15 % Maximum term 15 years
	b) Working Capital loans and loans to meet cash losses.	17.5 %	Maximum maturity period 5 years	

[H.P. Govt., F.D. letter No.Fin 2-C.(11) 20/85, dated the 4th April, 1987]

(12) Rates of interest effective from 1st January, 1991.— In continuation of this department's Office Memorandum No. Fin-2-C(11) 20/85-W&M dated 4th April, 1987 on the above subject, I am directed to say that the following revised rates will apply in the case of loans to Cooperative Societies, Electricity Boards, Industrial and Commercial Undertakings in Public Sector etc. with effect from 1st January, 1991 :-

1.	Loans to Cooperatives	-	15 %
2.	Loans to Power Boards	-	10.25 %
3.	Loans to Industrial and Commercial Undertaking in Public Sector :		
	a) Investment Loans	-	15 %
	b) Working Capital loans and loans to meet cash losses	-	17 % (Maximum maturity period 5 years)

2. In case interest/principal repayments are not made on the due dates, a penal interest of 3% will also be charged on the over-due amount.

[H.P. Govt., F.D., O.M. No. Fin-2-C(11)3/87, dated the 11th January, 1991]

(13) Rates of interest effective from 1st August, 1991.— अपरोक्त विषय पर इस विभाग के कार्यालय ज्ञापन संख्या फिन–2 सी (11) 3/87 दिनांक 11.1.1991 के अनुकमांक के सन्दर्भ में मुझे यह कहने का निदेश हुआ है कि सहकारी सभाएं, विद्युत परिषद, सार्वजनिक क्षेत्र में औद्योगिक तथा व्यवसायिक उपकमों के मामलों में निम्नलिखित संशोधित ब्याज की दरें 1 अगस्त, 1991 से लागू होंगीं।

	ब्याज की दरे
1. विद्युत परिपद को ऋण	10.75 %
2. सरकारी क्षेत्र के औद्योगिक वाणिज्यिक उपकम और 1 करोड़ रूपये से अधिक इक्विटी पूंजी वाली सहकारी समितियां:	
(I) निवेश ऋण	16 %
(II) कार्यचालन पूंजी ऋण और नकद घाटें को पूरा करने के लिए ऋण (अधिकतम परिपक्वता अवधि 5 वर्प है)	18 %

यदि ब्याज एंव ऋण की अदायगी समय पर न की जायेगी तो अतिशाध्य राशि पर 3 % दण्ड स्वरूप ब्याज लगाया जाएगा।

[H.P. Govt., F.D., O.M. No. Fin-2-C(11)3/87, dated the 31st August, 1991]

14) Rates of interest effective from 1st June, 1992.— अपरोक्त विषय पर इस विभाग के कार्यालय ज्ञापन संख्या वित्त 2–सी (II) 3/87 दिनांक 31–8–1991 के अनूक्रमांक के सन्दर्भ में यह कहने का निदेश हुआ है कि सहकारी सभाऐं, विद्युत परिषद, सार्वजनिक क्षेत्र में औद्योगिक तथा व्यवसायिक उपकमों के मामलों में निम्नलिखिम संशोधित ब्याज की दरें 1 जून, 1992 से लागू होंगी।

	ब्याज की दरें
1. विद्युत परिषद को ऋण	11.75 %

2. सरकारी क्षेत्र के औद्योगिक वाणिज्यिक उपक्रम और 1 करोड़ रूपये से अधिक इक्विटी पूँजी वाली सहकारी समितियां :-

(I)	निवेश ऋण	17 %
(II)	कार्यचालन पूँजी ऋण और नकद घाटे को पूरा करने के लिए ऋण (अधिकतम परिपक्वता अवधि 5 वर्ष है)	19.50 %

यदि ब्याज एंव ऋण की अदायगी समय पर न की जायेगी तो अतिशेष्य राशि पर 3 % दण्ड स्वरूप ब्याज लगाया जाएगा।

[H.P. Govt., F.D., O.M. No. Fin-2-C(11)3/87W&M-Part I, dated the 28th July, 1992]

(15) Rates of interest effective from 1st June, 1994.— With reference to this Department letters of even number dated the 28th July, 1992 *[Order (14) above]* and 27th January, 1994 *[Not reproduced, as it has not been supplied by W&M Section of Finance Department despite repeated requests/reminders]* on the above cited subject, the undersigned is directed to say that the rate of interest on lendings to the Cooperatives, State Electricity Board and other Industrial and commercial undertakings have been revised with effect from 1st June, 1994. The revised rates of interest applicable from 1-6-1994 are given below :-

i)	Loans to State Electricity Board	-	12 %
ii)	Industrial and Commercial Undertakings in Public Sector and Cooperatives having equity capital exceeding Rs. 1 crore		
	a) Investment loans	-	16 %
	b) Working Capital loans and loans to meet cash losses	-	18.50 %

[H.P. Govt., F.D., O.M. No. Fin-2-C(11)3/87, dated the 19th July, 1994]

(16) Rates of interest effective from 1st June, 1995.— With reference to this Department letters of even number dated the 19th July, 1994 on the above cited subject, the undersigned is directed to say that the rate of interest on lendings to the Cooperatives, State Electricity Board and other Industrial and commercial undertakings have been reviesed with effect from 1st June, 1995. The revised rates of interest appicable from 1-6-1995 are given below:-

i)	Loans to H.P.S.E.B.	-	13 %
ii)	Financial Institutions in Public Sector, Municipal Corporation, Boards, Social Service Institutions, Individuals etc.	-	12 %

iii) Industrial and Commercial Undertakings in Public Sector and Cooperatives having equity capital exceeding Rs. 1 crore
  a) Investment loans - 16 %
  b) Working Capital loans and loans meeting cash losses - 18.50 %

The interest rates prescribed above assume timely repayments and interest payments and hence no further rebate in rates is to be allowed for timely payments. In case repayments of loans and interest are not made according to the terms and conditions, a penal interest @ 3 % per annum will be charged over and above the normal rate of interest mentioned above.

[H.P. Govt., F.D., O.M. No. Fin-2-C(11)3/87-II, dated the 8th August, 1995]

(17) Rate of penal interest effective from 1st April, 1976.— (a) In continuation of this Department Office Memorandum of even number dated the 4th June, 1976 regarding the revision of rates of interest applicable on various loans and advances by the State Government with effect from 1st April, 1976 it has been decided that in cases where the repayment of loans and advances is not made according to the terms and conditions, the penal interest at the rate of 3% per annum will be charged over and above the normal rate of interest mentioned in the above Office Memorandum.

[H.P. Govt., F.D., O.M. No. 5-1/75-Fin (W&M), dated the 4th June, 1976]

(b) With reference to your letter No. Deposit/MCA/Imp-Rules/1983, dated the 16th October, 1985 on the subject cited above, I am directed to say that in case of default in payment of any instalment either of principal amount or of interest, penal interest is to be charged in addition to normal rate of interest. The Finance Department's O.M. No. 5-1/75 Fin(B) dated 23-9-1976 remained operative even after issue of Finance Department's O.M. No. 5-1/75 Fin (B) dated 23-9-1978.

[H.P. Govt., F.D., letter No. Fin-2-C(11)20/85, dated the 25th November, 1985 to the Accountant General, H.P.]

(c) I am directed to refer to your letter No. Dep/Interest/Imp. Rates/3423, dated 25-3-86, on the subject cited above and to say that the orders revising the rates of interest were issued *vide* F.D.'s letter No. 5-1/75-Fin (W&M), dated 4-6-76 and the same were made applicable w.e.f. 1-4-1976. Similarly the orders fixing the penal interest though issued on 4th June, 1976 *vide* F.D's letter No. 5-1/75-Fin. (W&M), were deemed to be effective from 1st April, 1976. The two orders are linked, and are in fact one and should be read as such.

Therefore, it is clarified that the penal interest @ 3 % would be chargeable in respect of all loans that become due for repayment on or after 1-4-1976 in the event of default. The penal interest in the event of default of repayment of loan and advances according to the terms and conditions, will become payable by the loanee automatically and no specific sanction for charging penal interest need be issued on individual cases by the department(s).

[H.P. Govt., F.D., O.M.No. Fin-2C(11)20/85, dated the 28th August, 1986 addressed to the Accountant General, H.P. and copy endorsed to all Heads of Deptt. etc.]

III – LOANS AND ADVANCES TO GOVERNMENT SERVANTS

Note.— It is not permissible to sanction loan or advance to a Government servant which involves a breach of any of the canons of financial propriety (*see* rule 2.10). In any case in which a cash grant would be within the powers of sanction of a particular authority, the grant of an advance not exceeding the cash grant will not require the sanction of a higher authority.

(I) General

10.13. Rules in this section do not ordinarily apply to Government servants who are not in permanent Government employ. As the pay of such Government servants does not constitute adequate security for a loan, advances should not ordinarily be granted to them. In special cases, however, if the circumstances admit of the provision of adequate security, advances may be granted, in accordance with the terms of these rules, to officiating or temporary Government servants, without any substantive appointment under the general or special sanction of the Finance Department.

Note 1.—Advances for –

(i) the construction of a house;
(ii) the purchase of a houseland;
(iii) the repayment of a private loan taken for the purchase of a house;
(iv) repairs to a house; and
(v) the purchase of a bicycle;

will also be admissible to temporary or officiating Government servants without any substantive appointment, provided : –

(i) they furnish adequate surety of permanent Government servants in addition to mortgaging their house, hypothecating their bicycle to Government; and

(ii) the department in which they are working also certify that the concerned Government servant will continue in service for a sufficiently long period to enable full recovery of the advance together with interest accrued being effected before termination of his services.

Note 2.—In case where the conditions of Note 1 are fulfilled the advances may be sanctioned to temporary or officiating Goverment servants without any substantive appointment by the heads of departments concerned.

H.P. GOVT. ORDERS

(1) House building advances to temporary Government servants.— I am directed to invite a reference to Note 1 below rule 10.13 of Himachal Pradesh Financial Rules, Volume I and to say that a temporary Government servant shall not be eligible for the grant of following advances unless he has completed 10 years' continuous service :-

Advances for :-

(i) the purchase of a plot or a built up house;
(ii) the construction of a house;
(iii) the repayment of a private loan taken for the purchase of a plot or a built house or construction of a house; and
(iv) the repairs and enlargement of a house.

2. These instructions will take effect from the date of issue. Necessary amendment to rules will issue in due course.

[H.P. Govt., F.D., letter No. Fin, 2-C(11) 9/78-Vol. IV, dated the 26th September, 1981]

(2) अस्थाई भूतपूर्व सैनिक कर्मचारियों को भवन निर्माण अग्रिम की पात्रता हेतु सिविल पदों पर न्यूनतम सेवा अवधि का निर्धारण.– उपर्युक्त नियम एवं उसके नीचे उदधृत वित्त विभाग के पत्र संख्या फिन–2–सी (11) –9/78–भाग-IV, दिनांक 26–9–1981 के अनुदेशों के अर्न्तगत प्रदेश सरकार के अस्थाई कर्मचारियों को अन्य शर्तो के अतिरिक्त 10 वर्षो की निरन्तर सेवा अवधि पूर्ण होने पर भवन निर्माण अग्रिम की पात्रता है ! भूतपूर्व सैनिकों के मामले में जो सिविल पदों पर अस्थाई/स्थानापन्न तौर पर कार्यरत हैं तथा सेना से सेवा–निवृति पर सिविल पदों पर नियुक्त हूए है, उपरोक्त अनुदेशों में ढील देते हुए यह निर्णय लिया गया है कि भवन निर्माण अग्रिम की स्वीकृति हेतु उनकी पात्रता सिविल पदों पर 5 वर्प की निरन्तर सेवा अवधि पूर्ण होने पर होगी, जिस के लिए निम्नलिखित शर्तो की अनुपालना भी सुनिश्चित की जाए:–

(1) उन्होंने सैनिक सेवाकाल में सेना से ऐसा कोई अग्रिम न लिया हो, जिस के लिए उनसे शपथ प्रपत्र के रूप में शपत्र पत्र/ हल्फनामा लेना अपेक्षित होगा!

(2) उन्होंने सिविल पदों पर नियुक्ति से पूर्व सेना में 5 वर्प या उससे अधिक सेवाकाल पूरा किया हो ! ऐसे मामलों में जिन्होंने सेना में 5 वर्प से कम सेवा की हो, उन्हें उपरोक्त ढील सेना की वास्तविक सेवा अवधि तक ही सीमित होगी!

2. यह आदेश तत्काल लागू होंगे!

[H.P. Govt., F.D., O.M. No. Fin (C) A(3)-3/81, dated the 17th May, 1991]

(3) **Where both husband and wife are in Government service, H.B.A. admissible to only one of them.**— I am directed to say that it has come to the notice of the Government that in some cases where both husband and wife are in Government service, they apply for house building advance separately and try to get the loan in each case. It has been decided that where both spouses are in Government service, only one, i.e. either husband or wife, will be entitled to the house building loan.

[H.P. Govt., F.D., O.M. No. Fin 2-C (11) 7/84, dated the 23rd November, 1984-Extract]

(4) **H.B.A. admissible for construction of one house only.**— The Governor, H.P. is further pleased to order that the All India Services officers and the State Government employees will be eligible for grant of H.B.A. for construction of one house only and no advance for construction of a second house will be admissible in any case.

[H.P. Govt., F.D. O.M. No. Fin 2-(C)-A(3)-3/81-II, dated the 28th March, 1989-Extract]

10.14. The last pay certificate granted to a Government servant under transfer must specify the original amount of such advances, the amount repaid and the balance together with interest, if any, accrued in accordance with rule 10.15 on remaining due.

10.15. Simple interest at the rate fixed, by the competent authority, for the purpose should be charged on advances granted to Government servants for house building (including advances for the purchase and repair of houses) and for the purchase of motor cars, motor boats, motor cycles, and other conveyances and typewriters. The interest should be calculated on balances outstanding on the last day of each month.

In cases, where under rule 5.1, pay bills for a month are disbursed before the end of the month, an instalment in repayment of an advance received through the pay bill will be taken as having been refunded on the 1st of the following month, the normal date for disbursement of pay.

If, in any particular case, an advance is drawn in more than one instalment, the rate of interest recoverable should be determined with reference to the date on which the first instalment is drawn.

[1]Note .— (a) The interest on advance is to be calculated by the respective drawing and disbursing officer with reference to the diminishing balance of advance till the last day of the month in which the last deduction of instalment has to be made.

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1. Note below Rule 10.15 substituted *vide* H.P. Govt., F.D., O.M. No. Fin (C)-A(3)-4/80, dated the 9th July, 1987.

(b) The responsibility to verify the recovery of interest and issue of 'No due certificate' in respect of amount of interest is that of last drawing and disbursing officer by whom the recovery of interest is completed. He will issue a consolidated 'No due certificate' on receipt of 'No due certificate' of principal amount from the Accountant General, H.P.

(c) The amount of interest recovered from the pay of Government employee on foreign service and deposited in cash into the Treasury is to be got verified from the Treasury Officer concerned. However, where the recovery is effected through the pay bills, the verifications be had from the concerned drawing and disbursing officer.

(d) The recovery made in excess towards principal amount, if any, is to be got adjusted towards the recovery of interest through the Accountant General, Himachal Pradesh

H.P. GOVT. ORDERS

(1) Method and example of calculation of interest on loans and advances taken by Government servants.— See Annexure at the end of this Chapter.

(2) Rate of interest from time to time on House Building Advances.— See Annexure at the end of this Chapter.

(3) Concessional rate of interest on house building advances for promoting small family norm.— See Annexure at the end of this Chapter.

(4) Rate of interest from time to time on Conveyance Advances.— See Annexure at the end of this Chapter.

(5) Rate of interest from time to time on Warm Clothing Advance.— See Annexure at the end of this Chapter.

(6) Interest on loans/advances recoverable in whole rupees.— Interest on loans/advances to employees which is computed as a percentage of base amount and its recovery is effected in instalments, will now be made recoverable in whole rupees.

[Extract from para 4 of G.I., M.F., O.M. No. F.23(0S)-E-II(A)/86, dated the 26th June, 1986, circulated vide H.P. Govt., F.D., O.M. No. Fin.(C)-A(3)-2/79, dated the 3rd January, 1987]

(II) House Building Advances

(a) Advance for construction of a house

10.16. Advances to Government servants for the construction of houses are regulated by the following rules :--

(i) Advances may be made under proper sanction (*vide* rule 10.1) to Government servants who desire to build houses for occupation by themselves in or outside Himachal Pradesh where they intend to settle down. No advance is ordinarily permissible to a Government servant who is likely to retire before complete recovery can be effected.

(ii) All such advances must be *bona fide* required for the purpose of building suitable houses for the personal residence of the Government servants concerned and if the amount of advance is more than what shall be actually expended for the purpose, the surplus shall be refunded to Government.

(iii) The amount of advance admissible under this rule should be drawn in instalments as under :--

(a) first instalment equal to 20% of the advance admissible for starting the construction;

(b) second instalment equal to 20% of the advance admissible, after the house has been brought to the plinth level;

(c) third instalment equal to 30% of the advance, admissible when the house has been completed up to the roof level.

(d) fourth instalment equal to 30% (viz., balance) after the roofs have been completed.

[1]Note 1.—Recovery of advance shall commence from the pay of the month following the completion of the house or the pay of the 18th month after the date on which the first instalment of the advance is paid to the Government servant, whichever is earlier.

Note 2.—A certificate furnished by the Government servant concerned certifying that the amount drawn has been utilised by him will be a sufficient proof of the amount having been actually utilised.

[2](iv) The amount of advance which may be granted to a

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[1] Note 1 below clause (iii) of Rule 10.16 substituted vide H.P. Govt. F.D., Notification No. Fin (C)-A(3), 7/76, dated the 2nd February, 1977

[2] Limit of H.B.A. in clause (iv) of Rule 10.16 substituted *vide* H.P. Govt., F.D., O.M. No. Fin (C)-A(3)-15/78, dated the 8th March, 1985

Government servant shall be :--

(i) Employees drawing pay of not more than Rs.1250/- P.M.	**100 months' pay subject to a maximum of Rs. 1.25 lakhs or the estimated cost, whichever is lower.**
(ii) Employees drawing pay higher than Rs.1250/- P.M.	**70 months' pay subject to a minimum of Rs. 1.25 lakhs with a ceiling of Rs. 1.50 lakhs or the estimated cost, whichever is lower.**

Not more than one advance shall be made for the same house, and no Government servant may receive a second advance while any portion of previous advance with interest accrued thereon is outstanding against him.

A second house building advance should not be granted for building a second house at the same station. Such applications for second house building advances in the same station should be submitted for the orders of the competent authority.

Note 1.– In order to guard against speculation on the part of Government servants it has been decided that the house built with the first advance should invariably be disposed of by the Government servant before the second advance is granted and the amount of such advance together with the sale proceeds of the first house should not exceed the amount specified in rule 10.16 (iv).

Note 2.—For the purpose of grant of advances for building, etc., of houses "Special Pay", "Personal Pay", "Dearness Pay" and "Officiating Pay" shall be treated as "Pay".

(v) Recovery will be made in 150 monthly instalments from the pay bill of the Government servant concerned. The authority sanctioning an advance may, however, permit recovery to be made in a smaller number of instalments, if the Government servant receiving the advance so desires. The amount of interest calculated under rule 10.15 will be recovered in one or more instalments, each such instalment being not appreciably greater than the instalment in which the principal was recovered. The recovery of the interest will commence from the month following that in which the repayment of the principal had been completed.

Note 1.—The amount of the advance to be recovered monthly should be fixed in whole rupees, except in the case of last instalment, when the remaining balance including any fraction of a rupee should be recovered.

Note 2.—Government servant due to retire within 20 years may be permitted by the sanctioning authority to refund by payments of larger amounts of monthly instalments during the remaining period of service, provided he agrees to the incorporation of a suitable clause in the prescribed Agreement and Mortgage Bond to the effect that the Government shall be entitled to recover the balance of the said advance with interest remaining unpaid at the time of his retirement or death preceding retirement from the whole or any specified part of death-*cum*-retirement gratuity that may be sanctioned to him.

(vi) In order to secure Government from loss consequent on a Government servant dying or quitting the service before complete repayment of the advance, with interest accrued thereon, the house so built, together with the land it stands upon, must be mortgaged to Government by whom the mortgage will be released on liquidation of the full amount due.

[1]Note.—The mortgage bond will be prepared in H.P.F.R. Form 14 or H.P.F.R. Form 14-A or H.P.F.R. Form 16, as the case may be, and the reconveyance in H.P.F.R. Form 15.

The mortgage bond is exempt from duty chargeable under section 40, clause (b) of Schedule 1 of the Stamp Act. It should, however, be duly registered.

(vii) The Government servant must satisfy the sanctioning authority regarding his title to the land upon which the house is or is proposed to be built.

Note 1.—This rule does not preclude the grant of an advance to a person who does not possess full proprietary right in the land upon which he intends to build, provided the sanctioning authority is satisfied that the applicant has a lease of which the unexpired portion is of a term and value sufficient to justify the grant of the advance and that there is no danger of the lease lapsing or of Government being unable to dispose of it, should it become necessary to foreclose the mortgage. In examining the mortgagor's title care should be taken to see that the lease does not prevent any subdemise by the lessee (the mortgagor). The mortgage bond in such cases will be prepared in H.P.F.R. Form 16.

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1. In the Note below Rule 10.16 (vi) the words "H.P.F.R. Form 14-A or " incorporated *vide* H.P. Govt., F.D., O.M. No. Fin(C)-A(3)-3/81, dated the 2nd February, 1989

In cases in which ground rent, municipal taxes and similar dues are payable to local authorities on account of land taken on lease, the sanctioning authority may, at its discretion, ask the Government servant taking the advance to produce for inspection receipts for these payments within fifteen days of their falling due. IF the sanctioning authority finds that such dues have not been paid by the borrower steps may be taken to recover the said dues including interest thereon, if any, from the pay of the Government servant concerned for payment to the parties concerned.

Note 2.—The applicant's title to the property should be examined by the sanctioning authority before the advance is actually paid, and in cases where there is any doubt as to the validity of that title, the revenue and registration authorities, or if technical legal advice is necessary, the Legal Remembrancer should be consulted. It should be seen that in the case of a house building advance, he has undisputed title to the land on which it is proposed to build and that in the case of an advance for the purchase of a house, he will obtain such title as soon as the purchase price is paid; that there will be no legal obstacle in either case to the property being mortgaged to Government and that the Government will have the right of foreclosing on the conditions mentioned in the mortgaged bond.

Note 3.—The head of the office in the case of a non-gazetted Government servant and the controlling officer in the case of a gazetted Government servant should, when asking for the authority for payment (*vide* Subsidiary Treasury Rules) send to the Accountant General a certificate either in the bill in which the advance is drawn or separately, to the effect that the mortgage bond in H.P.F.R. Form 14 or H.P.F.R. Form 16, as the case may be, has been executed by the Government servant taking the advance and that it has been duly registered.

(viii) A Government servant quitting, or removed from the station where he has built a house, before the whole amount due has been liquidated will continue to be liable to the deduction of his monthly instalment until the advance with interest accrued thereon has been repaid; but with the special sanction of Government he may be allowed to dispose of the house, provided he is thereby enabled to clear off at once the whole amount due or to transfer it to any Government servant of his own or higher rank, the future deductions being made from the pay of such Government servant.

(ix) Applications for advances must be made through the applicant's departmental superior, who will record his opinion as to the necessity for the assistance solicited. The applicant must certify that the sum is to be expended in building only, and pledge himself that, should there be any surplus funds after the house is completed, they will be at once refunded to Government. *See* also rule 10.20 *infra*.

Note.— Advance may also be given, for the purchase of land on which to construct a house, if the other conditions laid down in this rule are satisfied and the total amount of the advance for the purchase of the land and the construction of the house does not exceed the amount specified in rule 10.16 (iv). The amount of advance for the purpose of land exclusively will not exceed 25% of the total advance admissible to a Government servant for the construction of a house. This advance for the purchase of land shall be given on the clear understanding that the land will be purchased within three months from the date of the withdrawal of the advance, and in case this is not done, the entire amount of the advance together with the interest accrued thereon shall be recovered in lump sum and no relaxation in that behalf shall be allowed.

The Government servant should sign an agreement in H.P.F.R. Form 17 at the time of taking an advance for the purchase of land and the amount should not exceed what is required for the purpose. A mortgage deed in H.P.F.R. Form 14 or H.P.F.R. Form 16, as the case may be, should be executed before any further advance is drawn for the purpose of constructing the house. The mortgage deed must be registered within four months of its execution.

The mortgage bond should be kept in the safe custody of the authority sanctioning the advance and should not be released without a report from the Accountant General that the advance has been fully repaid.

In order to save Government from loss, the applicant's title to the property should be carefully examined by the sanctioning authority and the instructions laid down in Appendix 15 should be followed.

The intention of the terms of agreement in H.P.F.R. Form 17 will be met if the head of the office satisfies himself that the house is actually begun within five months of the advance being drawn. The departmental superiors of the grantee of the advance should also satisfy themselves that the building operations are completed within 18 months of the date of drawal of the 1st instalment.

[1]In the case of advance taken for the purchase of land only the repayment shall commence from the fourth issue of pay after the advance is taken and in the case of advance taken for the purchase of land and for the construction of a house thereon, the repayment shall commence from the pay of the month following the completion of the house or the pay of the 18th month after the date on which the first instalment of the advance is paid to the Government servant, whichever is earlier. The repayment in each of these two cases shall be completed within twelve and a half years.

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1. Last paragraph of Note below clasue (ix) substituted *vide* H.P. Govt., F.D., Notification No. Fin. (C) A (3) 7/76, dated the 2nd February, 1977.

(x) In addition to the deeds required to be executed under rules 10.16 and 10.17, the following categories of applicants shall also furnish a surety bond in H.P.F.R. Form 18 executed by a permanent Government servant of the State before the sanctioned advance or any part thereof is actually disbursed :-

i) all applicants who are not permanent Government servants;

ii) all applicants who are due to retire from service within ten years following the date of application for the grant of an advance; and

iii) all applicants who are permanent Government servants but are not covered by sub-clause (ii) above if they require the advance for the purchase of a ready built house or for repayment of private loan taken for purchase of land for constructing a house or for the purchase of house.

Note 1.—The liability of the surety will continue till the house built or purchased is mortgaged with Government or till the advance together with interest due thereon is repaid, whichever is earlier.

Note 2.—Utilisation of the advance for a purpose other than that for which it is sanctioned shall render the Government servant liable to disciplinary action under the Service Rules, apart from his being called upon to refund to Government forthwith the entire advance drawn by him.

Note 3.—*See* also notes below rule 10.13

(xi) The house shall be maintained in good repair at his own cost by the Government servant concerned. He shall also keep it free from all encumbrances, and shall continue to pay all the municipal and other local rates and taxes regularly until the advance has been repaid to Government in full. The Government servant shall furnish an annual certificate to this effect to the Head of Department.

(xii) After the completion of the house, annual inspection may be carried out by any officer authorised in this behalf by the Head of Department concerned to ensure that it is maintained in good repair until the advance has been repaid in full. The Government servant concerned shall afford full facility for such inspection to the officer deputed for the purpose.

Note 1.—Furnishing of the false certificate will also render the Government servant concerned liable to suitable disciplinary action apart from his being called upon to refund to Government forthwith the entire advance drawn by him.

H. P. GOVT. ORDERS

(1) **Revised entitlements of House Building Advance.—** As a result of revision of pay scales of State Government employees w.e.f. 1.1.1986, the Governor, Himachal Pradesh, in modification of all previous orders issued in this behalf is pleased to revise entitlements/conditions for grant of House Building Advance to the State Government employees as under :-

1. House Building Advance to State Government employees for construction/acquiring of house.	50 times the monthly basic pay plus special pay + N.P.A. subject to a maximum of Rs. 2.50 lacs or the estimated cost, whichever is less. *Note 1.* – The advance will be recoverable in 180 monthly instalments. *Note 2.*—The H.B.A. will be subject to the following cost ceiling. *Cost ceiling* 100 times the basic pay, subject to a minimum of Rs. 2.50 lacs and a maximum of Rs. 6.00 lacs. However where the Administrative Department / Head of the Department is satisfied on the merits of the case, the cost ceiling upto a maximum of 25% of the prescribed limits may be relaxed in individual cases in consultation with the Finance Department.
2. For repair/enlargement of existing living house	20 months' basic pay plus special pay + N.P.A. subject to a maximum of Rs. 60,000 or the estimated cost, whichever is less.

The other conditions for the grant of House Building Advance remain the same as already prescribed by the Government from time to time.

The above orders will be applicable from 8-6-1989. However, the orders regarding counting of special pay and N.P.A. for calculation of amount of H.B.A. take effect from 1-1-1991. The revised cost ceiling as given above is applicable from 7-3-1992.

[H.P.Govt., F.D., O.M. No. Fin(C)-A(3)/81-II, dated the 8th June, 1989, O.M. No. Fin (C)-A(3)-15/78, dated the 20th February, 1991 and O.M. No. Fin (C)-A(3)-3/81-II, dated the 7th March, 1992]

(2) Cost Ceiling of house does not include cost of land.— x x x x The Government is pleased to revise the ceiling as Rs. x x x for the cost of the house not counting the cost of the land.

[H.P.Govt., F.D., O.M. No. Fin(C)-A(3)-3/81, dated the 24th May, 1984 - Extract]

(3) H.B.A. - Number of instalments for recovery of principal and interest.— The advance shall be recoverable in not more than 180 monthly instalments for principal amount and interest thereon in 60 instalments.

Provided further that in case a Government servant is to superannuate in a period less than aforesaid 180/60 months, the amount of each instalment is so fixed that the entire amount of principal is recovered during the service period of the employee concerned and only the interest amount will spill over to the D.C.R.G.

[Para 3 of the H.P. Govt., F.D., O.M. No. Fin(C)-A(3-81-II, dated the 12th November, 1984 as amended vide O.M. of even number, dated the 11th June, 1985]

(4) H.B.A. admissible also for registration with Government controlled Housing Agencies for allotment of flats/plots — Recovery in such a case to be made as if it were an advance for purchase of plot.— DDA and some other Government controlled Housing Agencies invite applications for registration of applicants for allotment of flats/plots under "Self Financing Housing Schemes." A specified amount is usually required to be deposited in advance alongwith the application in such cases. This advance is adjusted after actual allotment against sale price which may take a considerable time. The Government servants desirous of getting registration as aforesaid some time obtain House Building Advance from the Government. With a view to take care of recovery of the advance sanctioned for the purpose, it has been decided that the recovery of the advance given for the registration with the D.D.A. etc. may be made as if this is an advance for the purchase of plot and the procedure as applicable for the recovery of advance for the purchase of plot will apply for recovery of this advance.

[H.P. Govt., F.D., letter No. Fin-2-C(11)-12/81 (W&M), dated the 13th July, 1982]

(5) New time-limit for commencement of recovery of H.B.A. for (1) construction of house (2) purchase of house/apartment on hire-purchase basis from Government controlled agencies, Housing Co-operatives etc. etc. and (3) repairs or renovation of existing house.— The undersigned is directed to state that as laid in Note 1 below clause (iii), and note below clause (ix) of Rule 10.16 of the Himachal Pradesh Financial Rules, 1971, Volume I, recovery of advance granted for the aforesaid purposes has to commence from the pay of the month following the completion of the house or the pay of the eighteenth month after the date on which the first instalment of the advance is paid to the Government servant, whichever is earlier. In the case of advance taken for the purchase of land only, the repayment has to start from the fourth issue of pay after the advance is taken and in the case of advance taken for the purchase of land and for the construction of a house thereon, the repayment is to commence from the pay of the month following the completion of the house or the pay of the eighteenth month after the date on which the first instalment of the advance is paid to the Government servant, whichever is earlier. It has also been provided therein that the repayment in each of these two cases should be completed within twelve and a half years *(now in 180 instalments)*. When an advance is taken for repairs to a house and/or for enlarging accommodation in the existing house, the repayment has to commence from the fourth issue of pay after the advance is drawn, as laid down in Note 4 below Rule 10.19 of the rules *ibid*. Now it has been observed that Government servants taking such advances are experiencing genuine problems for repayment especially in three categories:-

(a) Those who take advance for construction of new houses, cannot sometimes complete their building within 18 months of the drawal of the first instalment of the loan for acute scarcity of building materials like steel, cement etc.

(b) Those Government servants who take loans for repairs or renovation of the existing building also face similar difficulties.

(c) Sometimes Government servants take house building advance for purchase of a house/apartment on hire-purchase basis but the construction authority very often cannot complete the house/apartment within 18 months and the Government servants have hardly any control over the matter.

2. To remove the genuine difficulties in such cases, the question of making provision for postponement of the process of recovery of advance was receiving attention of the Government for sometime past. Accordingly, the Governor, Himachal Pradesh is pleased to order as under :-

(a) In the first type of cases, the recovery may be started within 24 months of the drawal of the first instalment or the completion of the house, whichever is earlier;

(b) In the second category of cases, the recovery may be started within six months of the drawal of the amount or the completion of the repairs or renovation, whichever is earlier; and

(c) In the third category of cases, the recovery may be started within 24 months of the drawal of the first instalment or completion of the hire-purchase house/apartment, whichever is earlier, provided the house/apartment is purchased from a Government or Government sponsored agency like D.D.A., Housing Boards, Housing Corporations, etc. etc.

3. The Governor, Himachal Pradesh is further pleased to order that in all these three category of cases, if the process of recovery is allowed to be started slightly late upto the new time-limit now being prescribed, the amount of instalments should be so re-adjusted as the entire amount of advance plus interest thereon, is recovered from the Government servant concerned,

under the normal principles of recovery according to the existing provision of the rules. It is further made clear that there should not be any further relaxation about this principle.

4. The aforesaid decision may be brought to the notice of all concerned for information and guidance.

5. Formal amendments to the provision of the rules will be issued in due course.

[H.P.Govt., F.D., O.M. No. Fin(C)-A(3)-14/78, dated the 25th November, 1980 and the 3rd November, 1981]

(6) Recovery of instalments to be effected regularly and strictly in accordance with terms and conditions—Disciplinary action against officers who fail to do so.— An instance has come to the notice of the Finance Department where an officer who was granted house building advance avoided recovery of the loan and the recovery instalments were not enforced against him as per terms and conditions of the loan. It is the duty of the sanctioning authority to keep a watch on recovery of loans to Government servants and to ensure that it is, in fact, made in accordance with the terms and conditions under which the loan was granted. This particular case related to an officer in respect of whom salary slips are issued. Either the recovery instalments were not indicated in the salary slip or if indicated, these were ignored by the Accountant and other staff who prepared the salary bills of the officer. A serious notice has been taken of this lapse by the Government. I am to request you kindly to let this Department know whether recoveries are being enforced in accordance with the terms and conditions of loans granted to Government servants and where it is not being done the explanations of the concerned Controlling/Drawing & Disbursing Officers should be called for. The recovery should be effected strictly in accordance with the rules and terms and conditions of loan and strict disciplinary action should be taken against the defaulting officers who do not do so.

[H.P. Govt., F.D., letter No. Fin.2-C(11)-8/84, dated the 23rd November, 1984]

(7) House Building Advances and Advances for Conveyances - Recovery of principal and interest to be classified under Major Heads "7610 - Loans to Government servants" and "0049 - Interest Receipts" respectively - Recovery schedules also to be prepared separately for principal and interest.— See Decision below H.P. Subsidiary Treasury Rule 4.114.

(8) Repayment of loans and advances during the period of foreign service out of India.— The undersigned is directed to refer to para 3 of this Ministry's O.M. No. F.1(14) E-III (B)/76, dated the 8th December, 1976 *(Not printed)* on the subject mentioned above, wherein it was indicated that all pensions/C.P.F. and G.P. Fund subscriptions and re-payment of outstanding loans and advances in respect of Government servants on foreign service out of India should be made in the foreign currency in which salary is paid and that for purposes of remittance of money, the normal banking channels should be adopted in places where there are no restrictions on remittances.

2. It has been represented to the Government that this condition about remittance in foreign currency through normal banking channels causes hardship to the Government servants concerned on account of fluctuations in exchange rates and also in making arrangements for periodical remittances of Demand Drafts costing considerable money in foreign exchange, apart

from expenditure on postage etc. The matter has accordingly been considered further and it has now been decided that a Government servant proceeding on foreign service out of India can make standing arrangements with his local bankers in India whereby the bankers would arrange to remit to the concerned Controller of Accounts etc. payments out of non-resident bank account opened for this purpose in rupees on account of monthly subscription to the G.P. Fund and also on account of pension/C.P.F. contribution and repayment of Loans and Advances, if any, during the period of foreign service out of India. After making arrangements for this, it would be the responsibility of the Government servant to ensure that remittances in foreign currency to cover these payments are arranged by him at least once a year and he would produce the requisite certificate about payments are arranged by him at least once a year and he would produce the requisite certificate about the remittances in foreign exchange to cover these payments from the non-resident account to the concerned Controller of Accounts. The exchange rate applicable will be the official accounting rate at the time the actual remittances in foreign exchange are arranged by the Government servant.

3. The revised arrangements indicated in the preceding paragraph will come into force with immediate effect.

[G.I., M.F., O.M. No. .8(8)-E.III/81, dated the 22nd September, 1981, circulated vide H.P. Govt., F.D., O.M. No. Fin (C)-A(3)-6/80, dated the 23rd January, 1982]

(9) Procedure for adjustment of excess recovery of principal amount towards recovery of interest.— The recovery made in excess towards principal amount, if any, is to be got adjusted towards the recovery of interest through the Accountant General, Himachal Pradesh.

[Extract from H.P. Govt., F.D., letter No. Fin. 2-C(11)-8/84-II, dated the 29th July, 1987]

(10) Acceptance of balances under long term advances.— It has been reported by the Accountant General, H.P. & Chandigrh, Simla that the balances in respect of long term advances outstanding at the close of each financial year communicated to individual officers/loanees are not confirmed by them, with the result the accounts of individuals maintained in his office remain unsettled for a considerable period when it becomes difficult to reconcile and settle the same at a later stage. This also results in avoidable correspondence and inconvenience to the loanees at the time of retirement. If there are any discrepancies in the balances, the same are required to be communicated to the audit office.

I am to request that suitable instructions may please be issued in the matter to the staff working under you.

Receipt of this letter may please be acknowledged.

[H.P.Govt., F.D., letter No. Fin. 2-C(12)-7/80 (W&M), dated the 1st December, 1980]

(11) Head of Office to issue, after every five years, a certificate showing recoveries made and balance outstanding against loanee employee.— It has been noticed that the recoveries made from the Government servants of advances are in some cases not being posted properly and the departments are not reconciling these with the A.G.'s office regularly and timely. Thus, due to wrong booking of figures, the discrepancies continue and, with passage of time, it becomes difficult to reconcile and rectify them. It has, therefore, been decided as under:--

a) All the departments will reconcile the figures of recovery of advances in the A.G.'s office regularly and timely. This work can be entrusted to the Reconciliation Assistants who visit A.G.'s office for reconciliation of expenditure figures of their department. The reconciliation of recoveries of advances should be done simultaneously with a view to ensure that individual accounts of long term loans maintained in the A.G.'s office are properly drawn; and

b) After every 5 years, the Head of Office of the loanee Government servant shall issue a certificate showing the original loan sanctioned, recoveries made upto 31st March of the preceding year and the balance of advance outstanding against him. This certificate should be issued as soon as reconciliation of recoveries is completed in the A.G.'s office say by June.

I am to request you kindly to bring these instructions to the notice of all concerned for strict compliance.

[H.P.Govt., F.D., letter No. Fin 2.C(11) 17/85 (W&M), dated the 4th April, 1987]

(12) Recovery from D.C.R.G..— (a) I am directed to say that under Rule 10.14 and 10.15 of the H.P. Financial Rules, Volume I, the procedure for calculating interest on loans and advances sanctioned to the Government employees has been prescribed, which *inter alia* provides that :—

(a) the last pay certificate granted to a Government servant under transfer must specify the original amount of such advances, the amount repaid and the balance together with interest, if any accrued in accordance with rule 10.15 on remaining due.

(b) Simple interest at the rate fixed, by the competent authority, for the purpose should be charged on advances granted to Government servants for house building (including advances for the purchase and repair of houses) and for other advances like conveyance and for the purchase of typewriters. The interest should be calculated on balance outstanding on the last day of each month.

In cases where the pay bills for a month are disbursed before the end of the month, an instalment in repayment of an advance received will be taken as having been refunded on the 1st of the following month, the normal date for disbursement of pay.

Where an advance is drawn in more than one instalment the rate of interest recoverable should be determined with reference to the date on which the first instalment is drawn.

In this connection, it may be stated that as per current practice, the detailed accounts of recovery of principal amount relating to long term advances are being maintained by the office of the Accountant General, H. P. and at the time of retirement of a Government servant they can readily intimate the dues, if any, on account of principal amount from their record. But they are not maintaining any such record in respect of interest recoverable and as such no such verification can be done by that office readily for recovery of interest.

2. In this connection attention is also invited to this Department's letter No. Fin. (C)-A(3)-1/85, dated the 11th August, 1986, wherein procedure for drawal and disbursement of DCRG by the Head of Office has been prescribed. In accordance with these instructions after receipt of 'Certificate and Report' from the Audit office, the head of office shall :—

(i) issue sanction letter in favour of claimant endorsing a copy thereof to the Accountant General indicating the amount of DCRG as determined by them; and

(ii) shall also indicate in the sanction letter the amount recoverable out of gratuity

This would enable the retiree to receive his amount of DCRG immediately on retirement.

3. According to the existing provision laid down in the note below Rule 10.15 of HPFR, Vol. I, the Audit Office is required to calculate the interest in respect of the Gazetted Officers and the Head of Office in respect of Non-Gazetted employees. Now with a view to streamlining the payment procedure, it has been decided to make the Drawing and Disbursing Officer responsible for calculation of interest in respect of Gazetted Officers as well. Accordingly, the Governor, Himachal Pradesh is pleased to order that the existing note below rule 10.15 be substituted by the following :–

[Not printed, see the amended Note below Rule 10.15]

The above provision be brought to the notice of all concerned for future guidance and compliance.

[H.P.Govt., F.D., O.M. No. Fin.(C)-A(3)-4/80, dated the 9th July, 1987]

(b) The Accountant General (Audit), Himachal Pradesh has brought to the notice of the Finance Department that in some cases, where Government servants were granted House Building Advances, the recovery of the loan and interest thereon was not realised as per terms and conditions of the loan. This is a serious matter and cannot be taken lightly. It is the duty of the sanctioning authority to keep a constant watch on recovery of loans of Government servants and to ensure that the same is made in accordance with the terms and conditions under which the loan has been granted. In this behalf, attention is also invited to Finance Department circular letter No. Fin. (C)-A(3)-3/81-II, dated the 11th June, 1985 read with letter of the same number dated the 12th November, 1984 *[printed as H.P.Govt. Order (3) above]* whereby it has been stressed that the advance shall be recoverable in not more than 180 months for principal amount and interest thereon in 60 instalments and in case of Government servant who is to superannuate in a period less than 180/60 months, the amount of each instalment be so fixed that the entire amount of principal is recovered during the service period of the employee concerned and only the interest amount will spill-over to the DCRG.

2. In so far as the recovery of interest is concerned the same shall be calculated by the respective Drawing and Disbursing Officer with reference to the diminishing balance of advance till the last day of the month in which the last deduction of instalment against principal amount of loan has been made. The responsibility to verify the recovery of interest and issue of "No Dues Certificate" in respect of amount of interest is that of last Drawing and Disbursing Officer and by whom the recovery of interest is to be completed. He will issue a consolidated "No Due Certificate" on receipt of "No Due Certificate" of principal amount of loan from the Accountant General, Himachal Pradesh.

3. The amount of interest recovered from the Government employee on Foreign Service and deposited in cash into the Treasury is to be got verified from the Treasury Officer concerned. However, where the recovery is effected through the pay bills the verification be got done from the concerned Drawing and Disbursing Officer. The recovery made in excess towards principal amount if any is to be got adjusted towards the recovery of interest through the Accountant General, Himachal Pradesh. The Drawing and Disbursing Officer of the office from which the Government employee is transferred should calculate the amount of interest that has accrued upto the last day of the month in which the last deduction of instalment has been made.

4. In view of the above, I am to impress upon you once again to kindly bring home to all the D.D.Os under you to make sure that recoveries against House Building Advances and Conveyance Advances are realised regularly in accordance with the terms and conditions of loans granted to Government servants and no arrear against principal amount of loan is allowed to remain un-recovered on the superannuation date of the loanee Government servant. According to F.D's circular letter No. Fin (C)A(3)-1/85 dated 11.8.85 and read with circular No. Fin (C)-A(3)-4/80 dated 9-7-1987 heads of offices are responsible to sanction the DCRG after indicating in the sanction the amount recoverable and after issue of sanction they are required to draw the DCRG after deducting Govt. dues and disburse the same immediately thereafter.

5. These instructions may kindly be brought to the notice of all concerned for scrupulous compliance.

6. The receipt of this letter may please be acknowledged.

[H.P.Govt., F.D., letter No. Fin.2-C (11)-8/84-II, dated the 29th July, 1987]

(c) Where the Government servant is to superannuate in a period less than aforesaid 180/60 months, the amount of each instalment is so fixed that the entire amount of principal is recovered during the service period of the employee concerned and only the interest amount will spill-over to the D.C.R.G. admissible from which the same may be recovered in lump-sum. However, if the amount of D.C.R.G. is expected to fall short of the outstanding amount of this advance, the instalments of interest be accordingly re-adjusted by way of enhancement of monthly instalments so as to ensure final adjustment from the D.C.R.G.

Example.— Amount of interest to be deducted from the employee w.e.f. April, 2098 = Rs. 2,72,071/-.· Suppose the estimated amount of D.C.R.G. of concerned employee comes to Rs. 1,25,000/-. (on his superannuation), then the amount of interest, if not likly to be recovered in normal procedure, will be deducted from the total amount of interest as under :-

Rs. 2,72,071 *minus* Rs. 1,25,000 = Rs. 1,47,071

Now this amount of Rs. 1,47,071 will be recovered in equal monthly instalments from the pay of the concerned employee who is to retire in less than five years time. The recovery of interest will start from the next month in which the principal amount after recovery became nil i.e. from the month of April, 2008 x x x x. In case the time for making recovery of interest falls short, the amount of interest to be recovered may be enhanced by distributing the same equally amongst instalments of recoveries either of principal amount or of interest, whichever is beneficial to the employee, in every way making sure that full and final adjustment of the interest component takes place within the D.C.R.G. that would be due to the employee.

[Extract from H.P.Govt., F.D., O.M. No. Fin (C)-A(3)-3/81, Vol. II, dated the 2nd August, 1991]

(13) Recovery of balance amount of H.B.A. from employees seeking voluntary retirement.— With reference to your letter No. HO.2-9/78 (BFC), dated the 9th October, 1979, I am desired to state that no case of type referred to by the Corporation has ever been referred to the Finance Department by any Department/office of the Government. Under rules the Government servants have to clear such liability at the time of their retirement from Government service. As such, in the case referred to, the Corporation should insist on refunding the amount in lump sum before the official is actually retired. In case he fails to do so, there is no alternative but to get the property mortgaged against the loan to be attached.

[H.P. Govt., F.D., letter No. Fin. (C)-A(3)-14/76, dated the 20th November, 1979 to the Chief Accounts Officer, H.R.T.C., Shimla]

(14) Cases for release of instalments to be processed with promptitude.— (a) It has come to the notice of the Government that the cases for the release of instalments of house building advance are delayed and are not sent to F.D. for earmarking of funds with promptitude. Instances have occurred when the Government servant applied for release of instalment within the prescribed period but the case becomes time-barred by the time it reached F.D. due to delay in processing it at the level of Head of Department/Administrative Department. This puts the applicant to hardship for no fault of his own. I am, therefore, to request you kindly to issue instructions to all concerned to process such cases with promptitude.

[H.P.Govt., F.D., letter No. Fin. 2-C(11) 12/81-W&M, dated the 14th December, 1982]

(b) I am directed to invite a reference to this Department's letter No. Fin. 2-C(11)-12/81 (W&M) dated 14-12-82, and to say that instances are still coming to the notice of this Department where cases for release of balance instalments of House Building Advance are referred to Finance Department after the lapse of 24 months from the date of release of 1st instalment. In this connection, I am to say that under Note below Rule 10.16 (ix) of H.P.F.R., Volume I, the building operations are required to be completed within 24 months of the date of drawal of the 1st instalment. Thus, any request for release of loan instalment after 24 months of the release of first instalment is time barred. It is not only the loanee Government servants who apply late but, in some cases, the delay occurs at the level of the Government Departments who send the cases for release of instalments to Finance Department quite late even though the applicants themselves had applied in time. I am, therefore, to request you kindly to ensure that the cases for release of instalments are sent to the Finance Department promptly and necessary departmental action may be taken against those officials who are found guilty of delay in referring the cases to the Finance Department for the release of instalments in time. All cases for release of balance instalments received after 24 months from the release of the first instalment are liable to be rejected.

[H.P.Govt., F.D., letter No. Fin. 2-C(11)-12/81-I, dated the 9th April, 1984]

(15) Mortgage Deed duly registered must be obtained from the employee before drawal of 1st instalment of H.B.A. from treasury.— (a) I am directed to say that an instance has recently come to the notice of the Finance Department wherein an officer managed to draw the entire amount of House Building Advance without mortgaging the property in the name of Governor as provided in the rules. Even the recovery of the advance was not started in his case. This shows a serious lapse on the part of the sanctioning authority which has rendered the Government advance insecure. In this connection I am to draw your attention to clause (vi) of rule 10 (16) of Himachal Pradesh Financial Rules which provides that in order to secure Government from loss the house so built together with the land it stands upon must be mortgaged with Government by whom the mortgage will be released on liquidation of full amount. Note 3 below rule 10 (16) (vi) further lays down that the head of office in the case of non-gazetted Govt. servant and the controlling officer in the case of Gazetted Government servant should, when asking for authority for payment, send to the A.G. a certificate either in the bill in which the advance is drawn or separately to the effect that the mortgage bond has been executed by the Government servant taking the advance and that it has been duly registered.

It appears that the above provisions of rules are not being followed and the amount of advance is disbursed as a matter of routine. In order to secure Government from loss, it is once again emphasised that before the 1st instalment of the House Building Advance is drawn from Treasury, a mortgage deed duly registered with the concerned Revenue Authority should be obtained and a certificate to the effect that the mortgage bond has been executed by the Government servant taking the advance and that it has been duly registered, should be recorded on the bill. While forwarding the case to the Finance Department for 2nd instalment, it should invariably be indicated that the mortgage deed duly registered has been obtained and kept in safe custody. As regards current cases where 2nd, 3rd and 4th instalment are yet to be released, the above certificate be recorded before sending the proposal to the Finance Department.

In some cases the Government servants obtain an advance for the purpose of plot. In these cases while forwarding the case for grant of advance for construction of house a certificate to the effect that the mortgage deed duly registered has been obtained and kept in safe custody, should also be recorded.

I am to request that strict instructions may kindly be issued to all the sanctioning authorities under your control to follow the above instructions in letter and spirit.

[H.P.Govt., F.D., letter No. Fin 2-C(11)9/78-Vol.III-W&M, dated the 2nd July, 1981]

(b) I am directed to say that notes under Rule 10.16 (ix) of H.P.F.R., Vol. I provide for the grant of advances to Government servants for the purchase of land on which to construct a house on the clear understanding that the land will be purchased within three months from the date of the drawal of the advance and that a mortgage deed should be executed before any further advance is drawn for the purpose of constructing the house. The mortgage deed must be registered within four months of its execution.

2. It has been observed that cases for advance for the construction of house where advance for the purchase of plot have been sanctioned are referred to the Finance Department without obtaining a proper mortgage deed from the Government servant in respect of the plot purchased by him with the amount of advance. It is therefore clarified that the cases for advance for the construction of house where advance for the purchase of land has been sanctioned will be entertained by the Finance Department only after a proper mortgage deed in respect of the plot purchased with the Government advance has been executed duly registered with the Revenue authority. This fact may be specifically mentioned in the proposal.

[H.P.Govt., F.D., letter No. Fin.2-C(11) 9/78-Vol.IV, dated the 9th December, 1981 issued in substitution of their letter of even number of 23rd November, 1981]

(c) I am directed to say that Note 3 below rule 10.16 of H.P.F.R., Vol. I provides for a certificate to be sent to the Accountant General, H.P. to the effect that the mortgage bond has been executed by the Government servant for the construction of house and that it has been duly registered. I am, therefore, to request you kindly to ensure that this requirement of the rules is adhered to and cases where loans have been sanctioned, the A.G. be informed of the position as to whether the documents as indicated in the rule referred to above have been obtained.

[H.P.Govt., F.D., letter No. Fin.2-C(11)12/81-W&M, dated the 17th September, 1982]

(16) Supplementary Mortgage Deed in H.P.F.R. Form 14-A to be executed for advances subsequently sanctioned/enhanced.— The undersigned is directed to state that under Ruyle 10.16 of H.P.F.R., 1971 (Vol. I), the house built together with the land it stands upon must be mortgaged to the Government in order to secure Govt. from loss consequent on a Govt. servant dying or quitting the service before complete repayment of the advance with interest accrued thereon. The mortgage bond is prepared in H.P.F.R. Form 14 or H.P.F.R. Form 16, as the case may be. The mortgage bond on the prescribed form is executed by the Government servant on the drawal of the amount of advance. However, there was no separate form prescribed in respect of the advances/loans subsequently sanctioned/enhanced in favour of the Government servants. The matter has been engaging the attention of the Government for some time and it has been decided to introduce the enclosed format of Supplementary Mortgage deed titled as "H.P.F.R. Form 14-A" (*printed in Duggal's Compilation of H.P. Financial Rules, Vol. II*) which will be applicable to all Government servants taking supplementary house building advances from the Government under the provisions of the rules.

2. *(Not printed).*

3. These orders shall take effect from the date of issue of this Office Memorandum.

[Paras 1 tand 3 of H.P. Govt., F.D., O.M. No. Fin (C)-A(3)-3/81, dated the 2nd February, 1989]

(17) Raising of loan by H.P. Government from H.D.F.C. for H.B.A. to H.P. employees - Loanee employees to give undertaking that they understand that mortgage of

their property is held jointly by the State Government and H.D.F.C.Ltd.— I am directed to say that while releasing the house building advance in favour of the loanee employees, a revised format has been introduced by the Government, a specimen copy of which is enclosed herewith for your information and necessary action. Before releasing the second instalment in favour of the employee, he is required to sign an undertaking to the effect that he understands his property is held jointly by the State Government and Housing Development Finance Corporation Ltd., on *pari-passu* basis. One copy of this signed undertaking be sent to the F.D. This procedure may be followed in cases where concurrence of F.D. has already been conveyed after 29.8.1989 and before issue of this letter. Failure to do so can create complications at the time of release of subsequent instalments. It is further made clear that there will not be any change in format of mortgage deed already prescribed. This may please be brought to notice of all concerned.

Please acknowledge the receipt.

[H.P. Govt., F.D., letter No Fin (D) (B) 6-1/89, dated the 16th October, 1989]

LETTER TO BE WRITTEN BY THE INDIVIDUAL TO THE STATE GOVERNMENT, H.P.

To

The State Government of Himachal Pradesh.
Housing Development Finance Corporation Limited (HDFC)

Dear Sir,

I am aware that under an arrangement between the State Government of Himachal Pradesh and the Housing Development Finance Corporation Limited (HDFC), the State Government would be raising a loan from the HDFC for onward lending to the State Government employees under its House Building Advance Scheme.

I wish to avail a loan for the purchase/construction of a dwelling unit bearing .... (hereinafter referred to as the 'said property') under this arrangement. I understand that this loan shall be secured by way of a mortgage of the said property and that the mortgage will be held jointly by the State Government of Himachal Pradesh and the HDFC on a *pari-passu* basis and I confirm the same.

Yours faithfully,

Name :
Designation :
Department :

Note.— To be signed in duplicate and one signed copy of which be sent to F.D.

[Enclosure to H.P. Govt., F.D., letter No. Fin (D)(B) 6-1/89, dated the 16th October, 1989]

(18) H.B.A. mortgage instruments executed by employees of H.P. Government Public Sector Undertakings and Autonomous Bodies - Remission of/exemption from stamp duty and registration fee.— (a) In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (Act No. 11 of 1899) as applicable to Himachal Pradesh, the Governor, Himachal Pradesh is pleased to remit the entire stamp duty chargeable on the mortgage instruments executed by the employees of the Himachal Pradesh Government Public Sector Undertakings and Autonomous bodies in favour of such Undertakings or bodies for securing the repayment of house building advance granted to them for the purpose of constructing or purchasing a dwelling house of their own, with immediate effect in the whole of Himachal Pradesh.

[H.P.Govt., Revenue Deptt., Notification No. Rev. 1-3(Stamp)6/80, dated the 10th April, 1989]

(b) In exercise of the powers conferred by sections 78 and 79 of the Registration Act, 1908 (Act No. XVI of 1908) as in force in the State of Himachal Pradesh, the Governor, Himachal Pradesh is pleased to make the following amendment in the Table of Registration Fees, published in the Rajpatra Himachal Pradesh dated 6th June, 1979 at pages 428 to 430 *vide* Revenue Department Notification No. 17-13/66 Rev. I dated 14-4-1969 as amended from time to time, namely. –

Amendment of Table of Registration Fees: In the Table of Registration Fees, after proviso 19 of Article 1 (1) (b) of the said table, the following proviso 20 shall be added namely :-

> "20. Provided further that no registration fees shall be chargeable on mortgage instruments executed by the employees of the Himachal Pradesh Government Public Sector Undertakings and Autonomous Bodies in favour of such undertakings or bodies for securing the repayment of house building advance granted to them for the purpose of constructing or purchasing a dwelling house for their own."

2. This amendment will come into force with immediate effect.

[H.P.Govt., Revenue Deptt., Notification No. Rev. 1-3(Stamp)6/80, dated the 10th April, 1989]

(18-A) House Building Advances - Revenue papers and other documents (including Mortgage Deed) to the examined minutely.— I am directed to address you on the subject oiled above and to say that it has been brought to the notice of Government that House Building Advance cases of the Government servants are not examined by the concerned Department minutely. In a case House Building Advance was sanctioned to a Government servant against a particular Khasra number but while submitting the Mortgage Deed the said Government servant mortgaged different Khasra number which was not in his nme and ownership at the time of mortgaging the same and even the said land was not free from all encumbrances though the land was mutated in his name subsequently. The Department concerned had not paid adequate attention to the revenue papers/documents already submitted by the Government servant in support of his House Building Advance application.

It has therefore been decided by the Government to issue instructions to all the Departments that they should examine the House Building. Advance cases of the Government servants properly and adequate attention should also be paid to Revenue papers and other documents relating to the House Building Advance cases.

In view of the above position it is requested that these instructions may be brought to the notice of all concerned under you for strict compliance

[H.P. Govt., Personnel Dept., letter No. Per (AP-I) B (3)-35/81 - II, dated the 20th November, 1995]

(18-B) House Building Advance admissible for construction of one house only. – See Order (4) below Rule 10.13 of this Compilation.

(19) Conditions for grant of permission to sell plot or house constructed/ purchased with H.B.A.— (a) I am directed to refer to your letter No. HO. 2-25/85-VED(BFC) dated the 18th July, 1985, on the above subject, and to say that the competent authority may give permission to sell the plot/house constructed/purchased with the Government loan, subject to other provisions of the rules, on the following conditions :–

1. The applicant loanee will repay the entire amount of loan alongwith interest up-to-date from the sale proceeds immediately;
2. No second house building advance will be sanctioned in favour of such applicants in future; and
3. . The mortgage deed will be redeemed only when the Audit Office issues "No Dues Certificate" in favour of the loanee.

[H.P. Govt., F.D., letter No. Fin.2-C(11)-8/84, dated the 23rd September, 1985 to the 0Managing Director, H.R.T.C., Shimla]

(b) उपरोक्त विपय पर मुझे यह कहने का निदेश हुआ है कि वित्त विभाग के ध्यान में कुछ मामले ऐसे आए है जिनमें प्रशासनिक विभाग कर्मचारियो/अधिकारियों के पक्ष में पहले सरकारी ऋण की राशि से बनाए गए भवनों को बेचने की स्वीकृति अपने स्तर पर प्रदान करते हैं तथा इस सम्बन्ध में दूसरा ऋण उपलब्ध करवाने का प्रस्ताव वित्त विभाग को भेज देते हैं! विभागों द्वारा अपनाइ जा रही यह प्रवृति ठीक नहीं है ! इस से वित्तीय नियमों का उलंघन होता है ! वास्तव में आवेदकों द्वारा पहले लिए गए ऋण से बने बनाए मकान को बेचने से पहले, प्रशासनिक विभागों को वित्त विभाग की प्रतिकिया अवश्य जान लेनी चाहिए कि क्या इस अवस्था में सरकारी ऋण से निर्मित सम्पति को बेचने के बाद आवेदकों को दूसरा ऋण उपलब्ध करवाया जा सकता है अथवा नहीं ! अतः भविष्य में प्रशासनिक विभाग वित्त विभाग की प्रतिकिया जान लेने के बाद सरकारी ऋण से बनवाए गए भवन को बेचने की स्वीकृति या अस्वकृति जारी करें!

अत: आपसे अनुरोध है कि इन हिदायतों का पालन सुनिश्चित करें !

[H.P. Govt., F.D., O.M. No. Fin (D) (A) 5-1/94, dated the 13th September, 1994]

(20) **Utilisation of advance for a purpose other than that for which it was sanctioned renders the employee liable to disciplinary action apart from being called upon to refund forthwith the entire advance with interest - Construction of house at a site other than that for which the H.B.A. was sanctioned or diversion of H.B.A. from construction of house to purchase of built-up house is mis-utilisation of advance.**— (a) Instances have come to the notice of the Government where house building advance has been utilised for a purpose or at a place other than that for which it was sanctioned. For example, the advance sanctioned for construction of house at a site 'A' was utilised either for purchase of a built-up house or for construction at site 'B'. Strictly speaking, this is mis-utilisation of the advance and the Government servant so mis-utilising it is liable to return it immediately in lump-sum with interest. I am, therefore, to request you kindly to impress upon all that the house building advance should be utilised only for the purpose and at the same site for which it is sanctioned. In no case its diversion for another purpose or site should be allowed. In case it is mis-utilised by diverting its utilisation, then action to recover it in lump-sum with interest should be taken immediately, under intimation to this Department.

[H.P. Govt., F.D., O.M. No. Fin C(11)/12/81- (W&M), dated the 26th July, 1982]

(b) Rules provide that the utilisation of an advance for a purpose other than that for which it is sanctioned shall render the Government servant liable to disciplinary action apart from his being called upon to refund to Government forthwith the entire advance with interest. Detailed rules of various advances have been laid down in Chapter X of the H.P. Financial Rules which should be scrupulously complied with .

[G.P.Govt., F.D., letter No. Fin. 2-C (11)/85(W&M), dated the 4th April, 1987]

(b) Advance for purchase of a house

10.17. An advance may be made to a Government servant in exceptional circumstances, for the purchase of a house; the general principles of rule 10.16 being applicable, and the Government servant being required, in addition to a mortgage deed, to deposit with Government satisfactory evidence of a clear title to the house. *See* rule 10.20 *infra.*

Note 1.—An advance drawn under this rule may include provision not only for the cost of the house purchased but also for the cost of any repairs or improvements which the purchaser of the house may desire to make.

Note 2.—The advance may be drawn in full at once, but satisfactory evidence should be produced before the Accountant General to show that the amount advanced for the purchase has been spent within 3 months of its drawal and the amount advanced for repairs or improvements (*see* note 1 above) within a further period of 2 months. A certificate to this effect from the head of the office will ordinarily suffice. The repayment in this case shall commence with the fourth issue of pay after the advance is taken and be completed in eight years. Interest will be calculated in accordance with rule 10.15 and recovery thereof will be made as laid down in clause (v) under rule 10.16.

Note 3.—When asking for the authority for payment of the advance (*vide* Subsidiary Treasury Rules) the controlling officer should record on the bills a certificate to the effect that he has secured and retained with him an agreement in H.P.F.R. Form 17 signed by the applicant pending execution of the final mortgage bond in H.P.F.R. Form 14 or H.P.F.R. Form 17, as the case may be, after the house is actually purchased. The fact of execution and registration of the latter bond should also be intimated to the Accountant General as soon as possible.

Note 4.—"Dearness Pay", "Personal Pay", "Special Pay" and "Officiating Pay" shall be treated as part of pay for grant of advances for this purpose.

H.P. GOVT. ORDERS

(1) Revised entitlements of H.B.A. for purchase of house.— See Order (1) below Rule 10.16.

(2) Cost ceiling of house does not include cost of land.— See Oder (2) below Rule 10.16.

(3) H.B.A. - Number of instalments for recovery of principal and interest.— See Order (3) below Rule 10.16.

(4) H.B.A. admissible also for registration with Government controlled Housing Agencies for allotment of flats/plots - Recovery in such a case to be made as if it were an advance for purchase of plot.— See Order (4) below Rule 10.16.

(5) H.B.A. admissible for purchase of built-up flats/houses from Government controlled Housing Agencies on hire-purchase basis.— (a) I am directed to refer to your letter No. HO 2-206/83 (BFC), dated 4th June, 1984 on the subject cited above, and to say that the house building advance is admissible to the employees who have been allotted house/flat by the Himachal Pradesh Housing Board under hire purchase scheme on the same terms and conditions which are applicable for the construction of new house.

[H.P. Govt., F.D., letter No. Fin. A-2-C(11)-8/84, dated the 4th July, 1984 to the M.D., H.R.T.C., Shimla]

(b) I am directed to refer to your letter No. HO 2-12/78 (BFC), dated the 5th May, 1988 on the subject cited above, and to say that this Government is giving house building loans to its employees who wish to purchase built-up flats/houses from the approved agencies like the D.D.A., H.P. Housing Board etc. under the hire purchase scheme.

[H.P. Govt., F.D., letter No. Fin.2-C(11)-8/84Vol.II, dated the 18th August, 1988 to the M.D., H.R.T.C., Shimla]

(6) **New time-limit for commencement of recovery of H.B.A. for purchase of house/apartment on hire-purchase basis from Government controlled agencies, Housing Cooperatives, etc. etc.**— See Order (5) below Rule 10.16.

(7) **Application for H.B.A. for purchase of house and immediate repairs to be dealt with under Rule 10.17 - Separate application for H.B.A. for repairs to be dealt with under Rule 10.19.**— See Order (5) below Rule 10.19.

(8) **Disbursement of H. B. A. for purchase of ready built house.**— Paid in lump sum.

[Extract from H.P. Govt., F.D., O.M. No. Fin (D)(B) 6-1/89, dated the 3rd August, 1991]

[Also see various other Orders below Rule 10.16]

(c) Advance for repayment of a private loan taken for purchase of a house

10.18. An advance may also be given for the purpose of repaying a private loan taken by a Government servant expressly (i) for the purchase of land for building a house or (ii) for the purchase of a house, provided :--

(1) that the usual conditions specified in the Note under clause (ix) of rule 10.16 and in rule 10.17 and the notes thereunder are satisfied;

(2) that the applicant has through his private loan acquired an unencumbered title to the land or the house purchased; and

(3) that the original loan for the purchase of the land or the house, as the case may be, was taken not more than eighteen months before the date of receipt of the application for an advance to discharge the private debt.

Note 1.—*See* rule 10.20 *infra*.

Note 2.—The repayment in cases mentioned in this rule shall commence from the fourth issue of pay after the advance is drawn and shall be completed within eight years.

H.P. GOVT. ORDERS

(1) **Revised entitlements of H.B.A., Number of instalments for recovery of principal and interest and various other decisions.**— See various Orders below Rules 10.16 and 10.17.

(d) Advance for repairs to a house and/or for enlarging accommodation in the existing house

10.19. An advance may be made under the following conditions to a Government servant to enable him to effect repairs to his house :--

(i) An advance may be made only if (1) the repairs are required to make the house habitable, (2) they are not in the nature of ordinary repairs and (3) they involve an outlay large in comparison with the value of the house.

(ii) Not more than one advance is admissible in respect of the same house.

(iii) No advance shall exceed ten months' pay of the Government servant to whom it is made, and it will be drawn as laid down in clause (iii) under Rule 10.16.

(iv) An advance may be made to a Government servant to repair a house which he has built or purchased with a previous advance under rule 10.16 or 10.17 but unless the competent authority permits otherwise, at least five years must elapse since the previous advance was drawn.

(v) Subject to the above the general principles of rule 10.16 and 10.17, as the case may be, shall apply, the maximum period for repayment of such advances being two years. Interest will be calculated and recovered in accordance with rule 10.15 and clause (v) under rule 10.16.

Note 1.— *See* also Rule 10.20

Note 2.–"Dearness Pay", "Personal Pay", "Special Pay" and "Officiating Pay" shall be treated as part of pay for grant of advances for this purpose.

Note 3.–Advance for enlarging living accommodation in existing house owned by a Government servant may also be sanctioned under this rule.

Note 4.–The repayment in cases mentioned in this rule shall commence from the fourth issue to pay after the advance is drawn.

H.P. GOVT. ORDERS

(1) Revised entitlements of H.B.A. for repairs and/or enlargement of existing house.— As a result of revision of pay scales of State Government employees w.e.f. 1-1-1986, the Governor, H.P. in modification of all previous orders issued in this behalf is pleased to revise entitlements/conditions for grant of House Building Advance to the State Government employees.

For repair/enlargement of existing living house	20 months' basic pay plus special pay + N.P.A. subject to a maximum of Rs. 60,000 or the estimated cost, whichever is less.

The other conditions for the grant of House Building Advance shall remain the same as already prescribed by the Government from time to time.

The above orders will be applicable from 8-6-1989. However, the orders regarding counting of special pay and N.P.A. for calculation of amount of H.B.A. take effect from 1-1-1991.

[Extract from H.P. Govt., F.D., O.M. No. Fin (C)-A(3)-3/81-II, dated the 8th June, 1989 read with O.M. No. Fin (C)-A (3)-15/78, dated the 20th February, 1991]

(2) **No. of instalments for recovery of H.B.A. for repair/enlargement of existing living house.**— These advances will be recoverable in 96 monthly instalments.

These orders shall take effect from 1st January, 1978.

[Extract from H.P. Govt., F.D., O.M. No. Fin (C)-A(3)-11/77, dated the 14th August, 1978 read with O.M. of even number, dated the 10th November, 1978]

(3) **New time-limit for commencement of recovery of H.B.A. for repairs or renovation of existing house.**— See Order (5) below Rule 10.16.

(4) **Supplementary Mortgage Deed for H.B.A. for repair of house previously constructed/purchased with H.B.A. from Government.**— I am directed to refer to your letter No. H.R.T.C. 2-446/88 (BFC), dated the 11th December, 1988, on the subject cited above and to state that a Supplementary Mortgage Deed will be obtained from the concerned loanee employee in case he/she is sanctioned House Building Advance for repairs of house already constructed with H.B.A. loan from H.R.T.C.

[H.P. Govt., F.D., letter No. Fin. 2-C(11)8/88, dated the 26th December, 1988 to the M.D., H.R.T.C., Shimla]

[Also see Orders (16) and (17) below Rule 10.16]

(5) **Advance for purchase of house and immediate repairs to be dealt with under Rule 10.17—Separate application for repair to be dealt with under Rule 10.19 - The condition that at least five years must have elapsed since the drawal of final payment of previous advance for construction/purchase of house can be relaxed by competent authority.**— (a) I am directed to refer to your letter No. 2-259/84-85-BFC dated 18th June, 1985, on the subject cited above and to say that the advance for purchase of house and for immediate

repairs could be sanctioned under Rule 10.17 of H.P.F.R., Vol. I read with Note 1 thereunder. In this case the first application was only for advance for purchase of a house. The separate application for advance for repairs to the house will be dealt with under Rule 10.19 and all the conditions mentioned thereunder shall apply. The advance for repair can be sanctioned by the competent authority and the condition that at least five years must have elapsed since the previous advance was drawn, can be relaxed by the competent authority.

[H.P.Govt.,F.D., letter No. Fin.2-C(11)8/84, dated the 17th September, 1985 to the C.A.O., H.R.T.C., Shimla]

(b) I am directed to refer to your letter No. 2-3/79 (BFC) dated 10th August, 1983, on the subject cited above, and to say that the period for the sanction of second advance of house building for repair is to be reckoned from the drawal of final payment.

[H.P. Govt. F.D., letter No. 2-C(11)-8/84, dated the 13th December, 1984 to the Chief Accounts Officer, H.R.T.C., Shimla)

(6) **Disbursement of H.B.A. for repair.**— Paid in lump sum.

[H.P.Govt., F.D., O.M. No. Fin (D) (B) 6-1/89, dated the 3 rd August, 1991 - Extract]

[Also see various other Orders below Rull 10.16]

(e) Instructions for dealing with applications for advances for construction, purchase or repair of houses, etc.

10.20. General instructions laying down the procedure to be followed in dealing with applications for advances for the construction, purchase or repair of houses are contained in Appendix 15. The following instructions should also be carefully observed in dealing with such applications :-

(1) As the "gross" amount of advances granted under these rules is not to exceed the amount provided in the sanctioned Budget Estimates an authority empowered to deal with an application shall not issue an order of sanction, until the Accountant General has certified that funds are available in the year in which payment of the advance will be made.

The Finance Department may, in fit cases, sanction advances in anticipation of availability of funds which will be provided by it through reappropriation before the close of financial year.

If the advance (or the first instalment of a house building advance) in respect of which a certificate of availability of funds has been issued by the Accountant General is not drawn within three months from the date of issue, it will be treated as cancelled and a fresh certificate of availability of funds (for the entire advance in the case of a house building advance) will be insisted upon by the Accountant General.

To avoid inconvenience and lapse of funds it is important that sanctioning authorities should not send applications to the Accountant General for report as to funds being available unless they are satisfied that the amount applied for, if made available, will be drawn before the end of the financial year. Similarly when a sanctioning authority comes to know that any advance in regard to which the Accountant General has reported that funds are available will not be sanctioned or will not be drawn from the treasury within the financial year, the Accountant General should always be informed so that the funds earmarked for the purpose may be devoted to other applications.

(2) In all cases the authority empowered to sanction must definitely record whether :-

a) the applicant resides permanently in the station while in active service; or

b) is liable to transfer in the ordinary course of things before complete recovery can be effected.

Cases in category (a) will be granted precedence in all circumstances. Cases in category (b) will not be considered unless there is reasonable certainty that transfer will not be made for at least 48 months. In doubtful cases the Accountant General will refer to Government un-officially the question whether the application is to be treated as coming within category (a) or not. In doing so he will report the extent of funds available and any other circumstances affecting the case.

The decision of Government will be communicated by him to the sanctioning authority.

(3) For the purpose of instruction (1) above application will be dealt with-in the order of receipt in the office of the authority receiving the application subject to the priority specified in instruction (2).

(4) In case of those Government servants, who are nearing retirement the amount of instalment payable monthly may be so fixed as to ensure the recovery of the entire amount before the date of retirement.

H.P.GOVT. ORDERS

(1) Setting apart of H.B.A. funds for various categories.— (a) *Point raised* This Corporation has come to know that the following priorities are being given in the House Building Advance to the employees:-

i)	For those who are to superannuate within 10 years.	25 %
ii)	For those who want to purchase built up houses from Government agencies	5 %
iii)	For green card holders	5 %
iv)	For those whose houses are affected by natural calamities	2 %
v)	For repair/enlargement of houses	2 %
vi)	Others (General)	*(Not printed)*

The above facts may kindly be confirmed as we are strictly following the Government rules/instructions being issued from time to time.

Clarification.— Percentage indicated in this letter for grant of house building advance to various categories is correct.

[Deputy Secretary (Budget) to H.P.Govt. endorsement dated the 22nd July, 1985 on C.A.O., H.R.T.C., letter No. HO. 2-21/78 (BFC), dated the July, 1985]

(b) I am directed to refer to your letter No. 2-21/81 (BFC) dated 18-7-1985 *(Not printed)* on the subject cited above and to say that no special priority is assigned to the Government servants for advance for purchase of built-up houses from private persons/parties.

[H.P.Govt., F.D., O.M. No. Fin 2-C(11) 8/84, dated the 11th October, 1985 to M.D., H.R.T.C., Shimla]

(c) I am directed to refer to your letter No. 2-26/80-Tpt(Med) dated 9th December, 1984 on the subject cited above, and to say that the instructions regarding the incentives in respect of house building advance to green card holders have been issued by the Health Department *vide* letter No. HFWB(F)(/9-5/83 dated 24th December, 1983 *(Not printed)*. In these instructions, it has been made clear that 5 % of allocation of House Building Advance will be reserved for green card holders.

[H.P.Govt., F.D., letter No. Fin 2-C(11)-8/84-W&M, dated the 1st February, 1985 to Deputy Secretary (Transport) to H.P.Govt.]

(d) A number of cases are being received from the Government departments for earmarking of funds for loan on priority basis for construction of houses or for repair of houses on the ground that the applicant Government servants were victims of natural calamities and their houses were either completely destroyed or damaged so extensively that these were no longer habitable. It has been decided that the cases of such Government servants, who are victims of natural calamity, will be considered for loan on priority basis only if they apply within six months of the occurrence of the natural calamity. If their applications for loan are received after six months, these will be considered along with other applications in turn and no priority will be given to them. Therefore, you may kindly reject their applications for priority claim for loan if received after six months.

2. I may also add that applications made within six months by the sufferers of natural calamities for loan on priority basis will be considered in Finance Department if these are received complete in all respects and the applicants are otherwise eligible for loan under the relevant rules. Every such application must be accompanied by a certificate of the concerned Deputy Commissioner/Sub-Divisional Magistrate to the effect that the existing house of the applicant was destroyed/damaged extensively so as to consider it inhabitable. The certificate should make full mention of the natural calamity and its date of occurrence.

3. I am request that the contents of this letter may be brought to the notice of all concerned.

[H.P.Govt., F.D., letter No. Fin. 2(C) (11) 12/81-Vol. I, dated the 6th September, 1983]

(2) Setting apart of H.B.A. funds for employees working in difficult areas.— (a) I am directed to say that the matter regarding earmarking of certain percentage of funds for the grant of house building advances in favour of those Government employees who are serving in distant difficult areas has been engaging the attention of the Government for sometime past. After careful consideration it has been decided that 5 % of the allocation for house building advance shall be set apart for grant of house building advance to Government servants working in difficult areas of the Pradesh, viz.

1. Pangi Sub-Division and Bharmour Tehsil in Chamba Dsitrict;
2. District Lahaul & Spiti;
3. Gram Panchayats of Athara Bis Pargana and Munish Darkala and Kashapat of Tehsil Rampur and Dodra Kawar area and Pandra Bis Pargana of Tehsil Rohru in Shimla District;
4. Pandrah Bis Pargana of Kullu District;
5. Bara Bhangal and Chhota Bhangal area of Palampur Sub Division in Kangra District.

as under :-

> "The loans in such cases will be admissible against reserved quota of 5 % funds whether the house is to be constructed in difficult areas or outside those areas. Only those Government servants will be eligible for consideration of grant of loan under the reserve quota who have completed the 'normal tenure' of stay in difficult areas as prescribed in the Transfer Policy. Such Government servants can apply to avail of this concession within 10 years of the completion of full tenure in difficult areas."

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You may kindly bring home this decision of the Government to all concerned.

These orders will come into force from the date of issue. The following guidelines may be kept in mind :-

(a) This concession will not have retrospective effect. Only those employees who are serving in a difficult area on the date of issue of this order, or a subsequent date shall be eligible for this special facility.

(b) An employee who is eligible according to (a) above but had applied for a house building advance prior to the date of issue of this order while posted in a difficult area, and is registered under the normal or general categories, has the option of deciding whether he would like to continue in his existing registration or would like to shift to the 5 % quota. If he opts for the latter his name shall be struck off from the existing register and he shall be placed in the new category according to his fresh option. His serial number in the new category shall be determined from the date his option is received in Finance Deptt. through his Administrative Department.

(c) In all the cases the Administrate Department should certify that the applicant has completed his normal tenure in a difficult area.

[H.P. Govt., F.D., letter No. Fin-2(C) (11)-11/84, dated the 15th June, 1986]

(b) In continuation of the department letter of even number, dated 15th June, 1986, on the subject cited above, I am directed to say that since the difficult areas specified for the purpose of transfer policy have undergone a change, therefore, it has now been decided that 5 % of the allocation for house building advance shall be set apart for grant of House Building Advance to Government servants working in difficult areas now specified, viz:-

1. Pangi Sub-Division of Chamba District;
2. Pooh Sub-Division of Kinnaur District; and
3. Lahaul & Spiti District.

This Department's letter of the 15th June, 1986 stands modified to the above extent.

[H.P. Govt., F.D., letter No. Fin.2-C (11)/84, dated he 6th December, 1986]

(c) I am directed to refer to this Department letter of even number dated the 15th June, 1986 and 6th December, 1986, on the subject noted above and to say that the following areas shall now be treated as distant difficult areas for purposes of grant of House Building Advance to Government servants out of 5 % allocation set apart for them:-

1. Pangi and Bharmour Sub-Divisions of Chamba District;
2. Lahaul & Spiti District;
3. Dodra Kawar area of Rohru Sub-Division and Pandrah Bis Pargana, Munish Darkali and Kashapat Gram Panchayats of Rampur Tehsil of Shimla District;
4. Pandrah Bis Pargana of Kullu District.

5. Chhota Bhaangal and Bara Bhangal areas of Palampur Sub-Division of Kangra District;
6. Kinnaur Distric;

2. Other terms and conditions stipulated in this Department letter No. Fin.2-C(11)-11/84, dated the 15th June, 1986 shall remain in force as herebefore.

[H.P. Govt., F.D., letter No. Fin.(11)-11/84, dated the 25th May, 1988]

(3) **Divertion of H.B.A. funds from one category to another.**— I am directed to refer to your letter No. HO.2-17/78 (BFC) dated the 19th September, 1986, on the subject cited above and to say that amount provided for the category where there is no requirement and no applicant, can be utilised during the year by divertion of the amount from that category to another category where there is a need, with the prior approval of the competent authority.

[H.P. Govt., F.D., letter No. Fin-2-(C) (11)-8/84, dated the 18th December, 1986 to the M.D., H.R.T.C., Shimla]

(4) **Funds for H.B.A. to be earmarked by Finance Department - Priority to be determined from the date when application/case, complete in all respects, is received in Finance Department.**— I am directed to invite your attention to this Department letter No 5-5/72-Fin (W & M) dated 9-10-1972 and of even number dated 20-6-1974, on the subject cited above and to state that it has been noticed that the instructions contained therein are not being complied with while referring the cases for the earmarking of funds for the construction of houses/purchase of motor conveyances. The earmarking of funds to Government servants for house building purposes or purchase of motor conveyances will not be done in the Finance Department on receipt of an application only, unless it is accompanied by all the relevant documents as required under Finance Department's instructions issued from time to time. A person's priority in the waiting list will be determined from the date when case is received complete in all respects and not from the date of receipt of a simple application un-accompanied by necessary documents.

[H.P. Govt., F.D., letter No. 5-10/74-Fin (W&M), dated the 3rd July, 1974]

(5) **Application form for House Building Advance.**— See Appendix 15 of H.P. Financial Rules, Vol. II.

(6) **Applications for H.B.A. to be submitted directly to the Head of the Department.**— See Order in Appendix 15 of H.P. Financial Rules, Vol. II.

(7) **Raising of loan by H.P. Government from H.D. F.C. for H.B.A. to H.P. employees - Furnishing of additional information with the H.B.A. cases.**— See Order in Appendix 15 of H.P. Financial Rules, Vol. II.

(8) **Documents which should accompany House Building Advance applications.**— See Orders in Appendix 15 of H.P. Financial Rules, Vol. II.

(9) Copy of permission under Conduct Rules for construction/purchase of house or for purchase of plot or for addition to existing building to be also attached to House Building Advance application.— See Order in Appendix 15 of H.P. Financial Rules, Vol. II.

(10) Certain categories of employees debarred from purchasing land/building/immovable property within jurisdiction of their posting.— See Order in Appendix 15 of H.P. Financial Rules, Vol. II.

(III) ADVANCES FOR PURCHASE OF CONVEYANCES

(a) Advances for the purchase of a motor car or motor boat

10.21. Advances may be sanctioned to a Government servant drawing pay including special pay and dearness pay, of not less than [1]Rs. 1,700/- except in special circumstances for the purchase of a motor car or a motor boat provided the following conditions are fulfilled:--

(1) An advance will be given only when the Government considers that it is in the interest of the public service that the Government servant should use a car or a boat in the discharge of his duties. Advances can only be granted to such Government servants as are compelled in the course of their official duties to do much touring or to make frequent journeys at short notice, or where the saving of time is of real importance.

(2) The total amount of advance which may be granted to a Government servant for the purchase of a motor car should not exceed [2][sixty thousand rupees, or 35] months' pay of the Government servant, or the anticipated price of the motor car, whichever is the least. If the actual price of the motor car paid by the Government servant is less than the amount of advance, he shall refund the balance to Government forthwith.

Note 1.—The ceiling of pay of [3][Rs. 1,700] will, however, not apply in the case of officers who are alloted cars out of State priority quota and also those who can produce evidence of income from other sources so that the total is not less than [3][Rs. 1,700 P.M.]

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[1] In Rule 10.21 "Rs. 1200" substituted by Rs. 1700" *vide* H.P. Govt., F.D., Notification No. Fin. (C)- A-(3)-15/78, dated the 8th March, 1985.

[2] In Rule 10.21(2) "fifteen thousand rupees or fifteen" substituted by "sixty thousand rupees or 35" *vide* H.P. Govt., F.D., Notification No. Fin. (C)-A-(3)-15/78, dated the 8th March, 1985.

[3] The amount "Rs. 1,200" in Note I below Rule 10.21 (2) substituted by "Rs. 1.700" *vide* H.P. Govt., F.D. Notification Fin. (C)-A(3)-15/78, dated the 8th March, 1985.

All cases requiring relaxation of the pay limit of [1][Rs. 1,700 P.M.] may be referred by the Administrative Departments to the Finance Department, after indicating the reasons for recommending the grant of advance.

Note 2.—Pay for the purposes of grant of advances for purchase of motor cars or motor boats, shall also include "Special Pay", "Personal Pay" and "Officiating Pay", and "Dearness Pay".

Note 3.—The expression "actual price" used in sub-rule (2) above would also cover, the following items :-

(i) the cost of transportation of the conveyance up to the place of duty of the Government servant concerned at the time of purchase, irrespective of whether the transport is arranged by the distributors or by the officer himself; and

(ii) the octroi charges actually paid.

(3) Advances should be applied for before the purchase is made, and the application for an advance should certify that the Government servant is unable to make the purchase without one.

Possession of a conveyance should not be taken by the Government servant concerned until after he has received an intimation that an advance has been sanctioned. Where a Government servant has purchased or taken possession of a conveyance before he has received such intimation, the sanction of the advance will cease to be operative, and any money drawn must be forthwith refunded to Government, or fresh sanction accorded with the consent of the Finance Department, which will agree to such fresh sanction only when the circumstances are unusual.

Applications for the grant of advance in respect of conveyance which has already been purchased or taken possession by a Government servant irrespective of whether the price has been paid or not, should not ordinarily be sanctioned. Where, however, special circumstances exist for making a departure from the rules, the case should be referred to the Finance Department.

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[1] The amount "Rs. 1,200" in Note 1 below Rule 10.21 (2) substituted by "Rs. 1,700" *vide* H.P.Govt. F.D., Notification Fin. (C)-A(3)-15/78, dated the 8th March, 1985.

(4) A Government servant, who is on leave or is about to proceed on leave and for whom an advance has been approved, will be entitled to draw such advance of any time while on leave in India if he receives intimation regarding the availability of the conveyance. The recovery of the advance drawn in such cases will commence with the first issue of pay or leave salary after the advance is drawn.

(5) Recovery of advance will commence with the first issue of pay after the advance is drawn. It will be effected in the manner laid down in clause (v) of rule 10.16 and the note thereunder will the modification that the number of monthly instalment in this case will be [1]180.

(6) Except when a Government servant proceeds on leave, not being leave on average pay not exceeding four months or earned leave not exceeding 120 days or retires from the service, or is transferred. to an appointment the duties of which do not render the possession of a motor car or a motor boat necessary, previous sanction of the Government is necessary to the sale by him of a car or boat purchased with the aid of an advance which, with interest accrued, has not been fully repaid. If a Government servant who wishes to transfer such a car or boat to another Government servant who performs the duties of a kind that renders the possession of the conveyance necessary, he may be permitted to transfer the liability attaching to the car or boat to the latter Government servant, provided that he records a declaration that he is a ware that the conveyance transferred to him remains subject to the mortgage bond and that he is bound by its terms and provisions.

(7) In all cases in which a car or boat is sold before the advance received for its purchase from Government with interest has been fully repaid the sale proceeds must be applied, so for as may be necessary, towards the repayment of such outstanding balance; provided that when the car or boat is sold only in order that another car or boat may be purchased the sanctioning authority may permit a Government servant to apply the sale-proceeds towards such purchase, subject to the following conditions :-

(a) the amount outstanding shall continue to be repaid at the rate previously fixed;
(b) the amount outstanding shall contiue to be repaid at the rate previously fixed;

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[1] The words and figures "75 in place of 150" in Rule 10.21(5) substituted by "180" *vide* H.P. Govt., F.D., Notification No. Fin. (C) A-(3)-15/78, dated the 8th March, 1985.

(c) the new car or boat must be insured and mortgaged to Government as required by these rules.

[1]Note 1.—A Government servant who has availed one of these advances shall not be allowed a second advance as long as he possesses the conveyance purchased with the first loan. He can apply for a second conveyance loan only after he sells or transfers the first conveyance and repays in full the principal and interest on that loan from the proceeds of the sale. If the sale proceeds do not cover the outstanding amount, the balance amount can be adjusted against the second loan.

Note 2.—When an advance has been granted a second advance will not usually be granted after a period of less than three years from the grant of the first advance.

Note 3.—A Government servant who draws an advance for the purchase of a motor car or a motor boat is expected to complete his negotiations for the purchase of, and pay finally for the car or boat, within one month of the date on which he draws the advance; failing such completion and payment, the full amount of the advance drawn, with interest thereon for one month, must be refunded to Government. This condition should always be mentioned in letters sanctioning such advances.

[2]Furnishing a security at the time of registration as a prospective purchaser, will be the responsibility of the officer concerned. No advance will be given to him from Government funds in this respect, except for the purchase of Maruti cars on the following conditions :-

(a) The amount of advance would be limited to the amount fixed by the Company for registration/booking of the vehicle.

(b) In case a Government servant has already drawn a motor car advance, the advance for registration/booking of a motor car should be limited to the amount so that the total advance for booking of Maruti car and outstanding amount of earlier advance does not exceed Rs. 60,000/-, the maximum amount fixed for granting such advances.

(c) The recovery of the advance so drawn be made in 100 equal instalments commencing with the first issue of pay or leave salary after the advance is drawn.

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[1] Note 1 below sub-rule 7 of Rule 10.21 substituted *vide* H.P.Govt., F.D., Notification No.Fin (C) A(3)-15/78, dated the 30th November, 1988 and Addendum of even number, dated the 20th July, 1989.

[2] Sub-para 2 of Note 3 below rule 10.21 (7) substituted *vide* H.P. Govt., F.D., Notification No. Fin. (C)-A (3)- 15/78, dated the 8th March, 1985.

(d) When balance amount of advance is sanctioned on allotment of car, the balance of the advance sanctioned for registration/booking not recovered shall be added to the advance so sanctioned and the instalments for recovery fixed with reference to the consolidated amount.

The advance may be applied for well in time and also sanctioned by the competent authority but it should be drawn only after the officer concerned has received a written assurance from the dealer that the supply is likely to be available within a month and a certificate to this effect should be recorded on the bill for the advance.

In the event of any delay in supply despite the written assurance referred to in sub-para 3 above, the officer concerned should apply for extension of the time limit within the permissible period of one month and seek permission for retaining the advance for a further period which should be specified. Each such request should be supported by a letter from the dealer concerned indicating the likely period of supply and this will be considered on its own merits.

Note 4.—At the time of drawing the advance the Government servant should be required to execute an agreement in H.P.F.R. Form 19. No advance will be granted until this agreement has been signed. This condition should be clearly stated in all orders sanctioning such advances. When the advance is drawn the sanctioning authority should furnish to the Accountant General a certificate that the agreement in H.P.F.R. From 19 has been signed by the Government servant drawing the advance and that it has been examined and found to be in order.

The sanctioning authority should see that the conveyance is purchased within one month from the date on which the advance is drawn. On completing the purchase the Government servant will further be required to execute a mortgage bond in H.P.F.R. Form 20 hypothecating the car or boat to the Government as security for the advance. [Such a bond is exempt from the duty chargeable under section 40, clause (b) of Schedule 1 of the Stamp Act]. The cost price of the conveyance should be entered in the schedule of specifications attached to mortgage. This bond should be promptly submitted by the sanctioning authority to the Accountant General for examination before final record.

The mortgage bonds be kept in the safe custody of the administrative department concerned in case in which the advance is sanctioned by the Government. When the advance has been fully repaid the bond should be returned to the Government servant concerned, duly cancelled, after obtaining from the Accountant General's office a certificate as to the complete repayment of the advance.

Administrative departments should satisfy themselves by careful scrutiny of all such bonds that they are in proper legal form and have been regularly executed.

Note 5.—The form of mortgage bond executed by a Government servant drawing an advance provides for insurance against full loss by fire, theft or accident. Insurance on owner driven or other similar qualified terms is not sufficient for the purpose of this rule. Insurance policies at a reduced rate of premium may, however, be accepted as adequate in the case of motor car when—

(a) the owner of the car undertakes to meet the first Rs.50 or so of a claim preferred against an insurance company in the event of an accident, or

(b) the car is not insured against accident for any reason for the year during which it is not in use but is stored in a garage.

Such insurance should be effected from the date of purchase of the conveyance. On receipt of the certificate prescribed in the first sub-paragraph of note 4 above the Accountant General will obtain from the Government servant drawing the advance a letter in H.P.F.R. Form 21 to the Motor Insurance Company with which the motor car or motor boat is insured to notify to them the fact that the Government is interested in the insurance policy secured. He will himself forward this letter to the company and obtain their acknowledgement. In the case of insurances effected on annual basis this process should be repeated every year until the advance has been fully repaid to Government. As soon as the insurance has been effected the policy or renewal note, as the case may be, should be submitted to the Accountant General for scrutiny.

Contravention of these orders will render the Government servant liable to refund the whole of the amount advanced with interest accrued unless good reason is shown to the contrary. The amount for which car or boat is insured during any period should not be less than the outstanding balance of the advance with interest accrued at the beginning of that period and the insurance should be renewed from time to time until the amount due is completely repaid. If, at any time and for any reason, the amount insured under current policy is less than the outstanding balance of the advance, including interest already accrued, the Government servant should refund the difference to Government. The amount to be refunded must be recovered in not more than three monthly instalments.

Note 6.—Advances for the purchase of a motor car or a motor boat to Government servants in foreign employ should be granted from the funds of the foreign employer and when the latter desires to make such an advance he should apply to the Government for the necessary sanction. If the sanction is accorded it will be subject to the proviso that the advance by the foreign employer shall be regulated by the same conditions as would apply if the Government servant were serving directly under Government. In special cases, however, where a Government servant's services have been lent to a municipality whose financial position will not permit of the advance, the competent authority may at his discretion, sanction the advance from the Government funds provided the Government servant's duties are such as to render the possession of a motor car or a motor boat practically a necessity.

Note 7.—The grant of an advance under this rule to a Government servant who proceeds on deputation out of India and desires a motor car for use during his deputation, is not admissible.

Note 8.—The instructions regarding provision of funds given in clause (1) of rule 10.20 apply *mutatis mutandis* in the case of advances for the purchase of conveyances.

Note 9.—When sanctioning an advance the sanctioning authority shall carefully observe the instructions given in this rule as also in note 2 below rule 10.16 (v) and shall always draw the attention of the Government servant concerned to these instructions.

H.P. GOVT. ORDERS

(1) Revised rates of advance for purchase of Motor Car, Motor Cycle/Scooter, Moped and Bicycle.— In continuation of this Department O.Ms. No. Fin.(C)-A (3)-15/78, dated 29-4-1987, 22-5-1987 and 2nd June, 1989 (*Not printed*), on the subject cited above, the undersigned is directed to say that the Governor, H.P. is pleased to revise/prescribe the conditions for grant of conveyance advance to the Government servants or under:—

Name of Advance	Entitlement range	Quantum of Advance
1. For purchase of Motor Car	Those drawing pay of Rs. 3000 and above inclusive of Special Pay and N.P.A.	40 months basic pay plus Special Pay + N.P.A. of the officer or Rs. 1.50 lac or purchase price, whichever is the least.
Note. – The advance will be recoverable in 180 equal monthly instalments.		
2. For purchase of Motor Cycle/ Scooter	Officials drawing pay of Rs.1200 and above inclusive of Special Pay and N.P.A.	Fourteen months basic pay plus S. P. + of the official or Rs. 20,000 (Rupees twenty thousand only) or the purchase price, whichever is the least.
Note. – The advance will be recoverable in 80 equal monthly instalments.		
3. For purchase of Moped	Officials drawing pay of Rs.1200 and above inclusive of Special Pay and N.P.A.	Seven months basic pay plus S. P. of the official or Rs.7,500 (Rupees seven thousand five hundreds) only or the price of the conveyance, whichever is the least.
Note. – The advance will be recoverable in 40 equal monthly instalments.		

4.	For purchase of Bicycle	Officials drawing basic pay Rs.800 P.M. or more	Rs.1200 (Rupees one thousand two hundreds) only or price of the bicycle, whichever is the least.

Note. – The advance will be recoverable in 25 equal monthly instalments.

The other conditions for the grant of conveyance advance shall remain the same as already prescribed by the Government from time to time.

These orders will be applicable with immediate effect.

[*H.P. Govt., F.D., O.M. No. Fin(C)-A(3)-11/93, dated the 25th August, 199, as amended vide O.M. of even number, dated the 30th June, 1995*]

(2) **Advance for registration/booking of Maruti car and its recovery.—** The undersigned is directed to state that grant of advance to Government servants for the purchase of motor car is subject to the conditions specified in rule 10.21 Of the Himachal Pradesh Financial Rules, 1971, Volume-I and notes thereunder. One of the conditions prescribed in note-3 below clause (7) of that rule is that no advance will be admissible to a Govt. servant for furnishing security at the time of registration, as a prospective purchaser. The Central Government have constituted a Public Sector Company, known as 'Maruti Udyog', which is engaged in the manufacture of cars. Keeping in view the fact that the Company is a Public Sector Undertaking of the Central Government and registration charges are heavy, the question of liberalising the existing provision for allowing advances was receiving attention of the Government for some time past. Accordingly, the Governor , Himachal Pradesh is pleased to order that advances for furnishing security at the time of registration as a prospective purchaser for Maruti car will be permissible subject to the following conditions:–

a) The amount of advance would be limited to the amount fixed by the Company for registration/booking of the vehicle.

b) In case a Government servant has already drawn a motor car advance the advance for registration/booking of a motor car should be limited to the amount so that the total advance for booking of a Maruti car and outstanding amount of earlier advance does not exceed Rs.- 80.000/- (*now Rs. 1.50 lac*), the maximum amount fixed for granting such advance.

c) The recovery of the advance so drawn shall be made in 100 equal instalments commencing with the first issue of pay or leave salary after the advance is drawn.

d) When balance amount of advance is sanctioned on allotment of car, the recovery thereof shall be made in 180 equal instalments separately and the advance already sanctioned for registration shall be continual to be recovered according to instalments already fixed.

2. Formal amendment to the Financial Rules will be issued in due course.

3. This decision may be brought to the notice of all administrative authorities.

[H.P. Govt., F.D., O.M. No. Fin (C)-A (3) 15/78, dated the 30th April, 1983, as amended vide O.M. of even number, dated the 29th April, 1987]

(3) House Building Advances and advances for Conveyances—Recovery of principal and interest to be classified under Major Heads "7610 – Loans to Government servants" and "0049 – Interest Receipts" respectively – Recovery schedules also to be prepared separately for principal and interest.— See Decision below H.P. Subsidiary Treasury Rule 4.114.

(4) Recovery from D.C.R.G.— See Order (12) below Rule 10.16.

(5) Conveyance advance – Furnishing of various documents – Disciplinary action against and recovery of entire amount of advance (with penal interest) in lump sum from defaulters.— (a) The undersigned is directed to state that as the Administrative Departments are aware sanctioning and disbursement of advances for the purchase of conveyance to the State Government employees is subject to certain conditions as contained in Notes 3, 4, 5 and 10 below Rule 10.21 (7) of the Himachal Pradesh Financial Rules, 1971, Volume I. These conditions are—

(i) completing negotiations for the purchase of, and pay finally for the conveyance within one month of the date on which he draws the advance;

(ii) furnishing of security at the time of registration;

(iii) executing an agreement in H.P.F.R. Form 19;

(iv) executing a mortgage bond on completing the purchase hypothecating the conveyance to the Government as security for the advance and furnishing thereof to the Audit and Accounts Office for scrutiny and return;

(v) executing insurance of the conveyance against loss by fire, theft or accident by the Government servant drawing the advance and furnishing the policy or renewal note, after the insurance has been effected, to the Audit and Accounts Office for scrutiny.

The Accountant General has pointed out that these requirements are generally not being observed by certain authorities while sanctioning advances. In order to avoid any complication and safeguard the public money which is advanced for the purpose, all administrative authorities competent to sanction/draw and disburse such advances are supposed to observe the provisions of the rules in letter and spirit. The undersigned is, therefore, directed to request the Administrative Departments etc. to ensure compliance of the provisions of the rules on the subject,

[H.P. Govt., F.D., O.M. No. Fin(C)-(A) (3)-15/78, dated the 26th December, 1980]

(b) With a view to eliminate the chances of misutilisation of loans granted by the Government to the Government servants under rules 10.21 to 10.23 of H.P. Financial Rules, Vol. I, 1971, for purchase of Car/Motor Cycle/Scooter, I am directed to request you kindly to get invariably attested/photostat copy of Registration Certificate of the vehicle in proof of actual utilisation of the loan for the purchase of the conveyance for which it was granted. Disciplinary action should be taken against the officers/officials who misutilise the loans.

2. I am further to request that copies of the registration certificates may be obtained in respect of all such loansees under you and a list of officials unable to produce the certificates be sent to the Finance Department by 15-5-1984, positively.

[H.P. Govt., F.D., letter No. Fin. 2-C (11)-15/82- W & M; dated the 25th April, 1984]

(c) The Government gives various advances to Government servants for—

1) the construction of a house,
2) the purchase of a house/land,
3) the repayment of private loan taken for the purchase of a house,
4) the repair to a house,
5) the purchase of a motor car/motor cycle/scooter,
6) the purchase of a bicycle,
7) warm clothing, and
8) advance on the eve of important festivals.

It is an implicit condition of grant of advance that it is utilised for the same purpose and within the prescribed time for which it is sanctioned. In other words, the advance should not be misutilised for other purposes. The F.D. had issued instructions *vide* letter No. Fin.2 C(11)-15/82-W & M dated 25th April, 1984 that the production of registration certificate of the vehicle purchased with Government advance should always be insisted upon in order to ensure the purchase of the vehicle for which the advance was sanctioned. Rules provide that the utilisation of an advance for a purpose other than that for which it is sanctioned shall render the Government servant liable to disciplinary action apart from his being called upon to refund to Government forthwith the entire advance with interest. Detailed rules of various advances have been laid down in Chapter-X of the H.P. Financial Rules, Vol. I which should be scrupulously complied with.

[Extract from H.P. Govt., F.D., letter No. Fin.2 C (11) 17/85 (W&M), dated the 4th April, 1987]

(d) In continuation of this Department letter No. Fin-2 (C)11-17/85 (W&M) dated 4.4.87, I am directed to say that after enhancement of conveyance advances w.e.f. 25.8.94, it has come to the notice of Finance Department that some loansees are tending to misutilize car/scooter loan for other purposes. There must be proper control/check of the Head of Department/Drawing & Disbursing Officers on this practice. It is made clear that the Finance Department releases the conveyance advance strictly on the basis of proforma invoices.

For proper check on utilization of such loans, the Administrative Department/Head of Departments and Drawing & Disbursing Officers should ensure that all the documents i.e. R.C., insurance policy and receipt of the conveyance so purchased against loan from the Government are obtained from the loanee as soon as the validity period of purchasing conveyance is completed, as required under the conveyance advances rules.

I case of default, the Department must initiate action to recover the entire conveyance advance with penal interest in lump-sum from the defaulters.

On receipt of documents, the Drawing & Disbursing Officers will in future regularly furnish list with a certificate to the Finance Department to the fact that the vehicle has been purchased by the loanee employees, detailed in the list out of the advance sanctioned and attested photocopies of relevant documents on this account have been kept in safe custody by them. This condition will apply in conveyance advances cases released w.e.f. 25.8.1994.

These instructions may please be complied with strictly by all concerned.

Please acknowledge receipt.

[H.P. Govt., F.D., letter No. Fin. (D)(B) 6-3/89, dated the 21st December, 1994]

(c) I am directed to say that as per provisions of H.P.F.R., a Government employee who obtains a loan from Government for purchase of a conveyance viz; Motor Car/Motor Cycle/Scooter/Cycle etc. is required to submit papers relating to the purchase of conveyance to the Head of Department within one month from the drawal of such advance, failing which the entire amount of loan is required to be refunded to Government in lump-sum along with interest for 1 month.

2. It has been brought to the notice of this Department by Audit Office that above provisions of rules are not being complied with in a large number of cases. Failure on the part of a Government servant to furnish necessary documents within prescribed period of one month amounts to misutilisation of the amount of advance. The sanctioning authority/Head of Department are also requested to ensure that in all cases, papers are presented by the employee with in the time limit and if it is not done whole amount alongwith interest for one month is recovered immediately from the defaulters.

3. In view of above position I am directed to request you kindly to ensure strict compliance of the rules.

Kindly acknowledge receipt.

[H.P. Govt., F.D., letter No. Fin (C) A (3) - 11/93, dated the 2nd August, 1996]

(6) Funds for Conveyance Advances to be earmarked by Finance Department - Priority to be determined from the date when application/case, complete in all respects, is received in F.D.— *(a)* I am directed to inform you that it has been decided that from next year, 1986-87 (1-4-1986) onwards funds for the purchase of conveyance such as advances for the purchase of Car/Motor Cycle/Scooter/Cycle etc.will be earmarked by the Finance Department and no part of it will be allotted for earmarking by the Accountant General, H.P. You are, therefore, requested to send all cases for earmarking of funds for advances for purchase of Car/Motor Cycle/Scooter/Cycle to Finance Department only through respective Administrative Departments.

The Administrative Departments in their turn, will send these cases on concerned departmental files to Finance Department (W & M-Section) for earmarking of funds.

2. It may kindly be ensured that cases are sent after proper scrutiny and complete in all respects. The F.D. will earmark funds, subject to fulfilment of provision of the rules, on the subject, on the following basis:–

1) The cases received in Finance Department complete in all respects, on A.D's files will be entered in a priority register in chronological orden i.e. with respect to the dates on which these are received through and on A.D's file in F.D.;

2) The case will entered in F.D. in the priority register only if these are complete in all respects. Incomplete cases will not be entered in the priority register and will be returned to the concered Administrative Department.;

3) The actual allotment of funds will be strictly on the basis of "first come first served" i.e. cases entered in the priority register earlier will get priority for allotment of funds over cases entered in priority register on later dates.;

4) The allotment of funds will be subject to availability of funds.;

5) The allotment of funds will be valid for the financial year in which it is made and shall lapse after the close of the financial year.

6) *(Not printed)*

[H.P. Govt., F.D., letter No. Fin.2-C(11) 17/85, dated the 26th February, 1986]

(b) मुझे यह कहने का निदेश हुआ है कि कार/मोटर साईकल/स्कूटर की नस्तियां/मामले अग्रिम के लिए वित्त विभाग में प्राप्त होते है उन्हें हर वित्तीय वर्ष के अन्तिम दिनों में बजट में प्रावधान न होने के कारण वापिस विभागों को भेजा जाता हैं। लेकिन इस बारे अब यह निर्णय लिया या है कि यह नस्तियां/मामले भविष्य में वापिस नहीं किए जायेगें और प्रत्येक मामले. वरिष्ठता के आधार पर पंजीकृत किए जायेगें जिस प्रकार भवन निर्माण अग्रिम ऋण सम्बन्धी मामले पंजीकृत किए जाते हैं। अतः इस संदर्भ में लिए गये निर्णय के अनुसार अब वित्त विभाग केवल वही मामले पंजीकृत करके अपने पास रखेगा जो सभी प्रकार से पूर्ण होंगें ! आपत्तिजनक मामले वापिस किए जायेगें जिन्हें विभाग द्वारा समाधान करने के बाद वित्त विभाग को भेजा जा सकता है !

कृप्या उपरोक्त निर्णय को मद्धेनज़र रखते हुए ही भविष्य में अग्रिम के प्रस्ताव वित्त विभाग को भेजे तथा सभी अधिकरियों/कर्मचारियों को इससे अवगत करवाएं तथा पावती सूचना भेजें !

[H.P. Govt., F.D., letter No. Fin-D (B)-6-12/90, dated the 12th December, 1990.]

(7) No specific proforma prescribed for application.— I am directed to state that in the H.P. Financial Rules, 1971 no specific proformae for the grant of advances for the purchase of motor conveyances (Motor Car and Scooter/Motor Cycle) and other conveyance (Cycle) have been prescribed.

It has, therefore, been decided that simple applications for the grant of advances for the purchase of motor conveyances and other conveyances may be obtained from the Government servants. While forwarding the applications it may be certified that the Government servant is a permanent hand in the case of a temporary Government servant, surety bond together with a certificate as required under the provision of Himachal Pradesh Financial Rules may be got completed and forwarded to Finance Department. The other requirements i.e. pay etc., as defined under the rules, date of birth and date of retirement etc. of applicant should also be stated.

All the concerned may please be informed accordingly.

[H.P. Govt., F.D., letter No. Fin.2-C(11)-2/76 (W & M), dated the 21st May, 1976]

(8) Applications of employees whose duties are not of executive nature or who are temporary or who are drawing less than Rs. 1200 as pay inclusive of special pay.— मुझे आप का ध्यान इस कार्यालय के पत्र संख्या फिन–2–सी (11)-2/76 तिथि 21–5–1976 और सख्या 2 सी (11) 4/77 तिथि 19–5–1977 के सन्दंभ में उपरोक्त विषय पर दिलाने तथा यह कहने का निदेश हुआ है कि कुछ विभाग मोटर कार, मोटर साइकिल, स्कूटर आदि के केसों के लिए वित्त विभाग से अग्रिम की राशि निर्धारित करवाने से पूर्व हस बात का ध्यान नहीं रखते हैं कि केस नियमानुसार निरीक्षण करके आवश्यक सिफारिश के अनुसार भेजा जाए। आग्रिम की राशि वित्त विभाग से निर्धारित करवाने से पहले इस बात का ध्यान रखना आवशक होगा कि केस उपरोक्त आदेशों अनुसार भेजे जाएं। यह भी स्पष्ट किया जाए कि उक्त कर्मचारी को मोटर वाहन की आवश्यकता किस लिए हैं। क्या उक्त कर्मचारी की सरकारी सेचा (र्क्तव्य) कार्यकारी रुप (exective nature) की है और उसे सरकारी सेवा के सम्बन्ध में सफर करना पड़ता है। साथ में इस बात का ध्यान भी रखा जाएं कि अग्रिम की राशि मोटर वाहन को खरीदने के लिए उक्त कर्मचारी के पक्ष में निर्धारित करना जन हित के कार्य पूर्ति के लिए ही होगा।

जिन केसों में उक्त कर्मचारी का सरकारी कर्तव्य कार्याकारी रुप (exective nature) का नहीं है और उन्हें सरकारी कर्तव्यों के बारे सफर (touring) नहीं करना पड़ता, उन केसों में उक्त विभाग द्वारा उक्त कर्मचारी के विशेष कारणों से सूचित किया जाए। प्रशासनिक विभाग ऐसे केसों में इस बात की पुष्टि करें कि क्या आग्रिम की राशि निर्धारित करना सरकारी कर्तव्यों की पूर्ति

जन हित के लिए ही होगा। गैर स्थाई कर्मचारी के पक्ष में या ऐसे कर्मचारी जिन का मूल वेतन डी0 पी0 स्पैशल "पे" मिला कर 300/- मासिक से कम हो *(now in case of those drawing less than Rs.1200 as pay inclusive of special pay and N.P.A.)* तो सम्बन्धित सचिव की स्वीकृति भी पहले ही ली जाए। नियम का पालन पूर्ण रूप से किया जाये। अतः प्रशासनिक विभाग ऐसे कर्मचारियों के केस जिस का सरकारी कर्तव्य कार्यकारी रूप (exective nature) का है और जिसे सरकारी कर्तव्यों के बारे कभी कभी सफर करना पड़ता हो, के किस्म का हो अग्रिम राशि निर्धारित करने के लिए अप्रैल 1978 से महालेखाकार कार्यालय को आवश्यक धनराशि (वित्तीय वर्ष 1978–79) में निर्धारित करने के लिए भेजे जाएं ! जिस कर्मचारी की सेवा कार्यकारी रूप (exective nature) की न हो उन केसों में प्रशासनिक विभाग आवश्यक कारणो के आधार पर जिस में अग्रिम का दिया जाना जन हित की कार्यपूर्ति के हित में ही होगा, वित्त विभाग की स्वीकृति के पश्चात उक्त केस अग्रिम की राशि निर्धारित करने के लिए पुनः महालेखाकार को भेजने के लिए माने जाएंगे।

[H.P. Govt., F.D., letter No. Fin-2(C) (11) 4/77, dated the 27th March, 1978]

(9) **Shortcomings in Conveyance Advances applications/cases.—** उपरोक्त विषय पर मुझे यह कहने का निदेश हुआ है कि प्रायः यह देखने में आया है कि भवन निर्माण/कार/स्कूटर/मोटर साईकल के ऋण सम्बन्धी मामलों की जॉच प्रशासनिक विभाग द्वारा गम्भीरता से नही की जाती । इसके फलस्वरूप अधिकारियों/कर्मचारियों को ऋण लेने में न केवल परेशानी होती है बल्कि वित्त विभाग को प्रत्येक मामलों की छानबीन करने मे काफी विलम्ब हो जाता है। कुछ विभागों में तो टिप्पणियों के साईकलोस्टाईल प्रपत्र (cyclostyled form) छाप रखे है जिसमे केवल ऋण लेने वाले का नाम तथा धनराशी मात्र भरी जाती है। ऐसी प्रवृति पर अकुंश लगाना आवश्यक है। भविष्य में केवल वही मामले वित्त विभाग को भेजे जायें जिनकी प्रशासनिक स्तर पर पूरी जॉच–पड़ताल की गई हो। इससे न केवल ऋण सम्बन्धी मामलों के निपटाने में सुविधा होगी बल्कि अनावश्यक आपत्तियों के लगाने में जो समय नष्ट होता है वह बच जायेगा। इस उदेश्य की प्राप्ति के लिए एक जॉच सूचि तैयार की गई है जिसकी प्रति संलग्न है। सरकारी कर्मचारियों को ऋण देने के प्रस्ताव वित्त विभाग को प्रेषित करने से पहले यह सुनिश्चित किया जाये कि जॉच सूचि में अपेक्षित समुचित सुचना, प्रमाण पत्र, अन्य प्रपत्र आदि उपलब्ध हैं और विशेष रूप से अंकित हैं। इनमें से किसी कमी के कारण होने वाले विलम्ब के लिए प्रशासनिक विभाग स्वयं उत्तरदाई होगा। अतः यह सुनिश्चित किया जाये कि इन हिदायतों का पालन हर स्तर पर किया जाये।

जांच सूचि

(1) It has not been certified that the acquisition of the conveyance by the applicant will increase his efficiency in the discharging of his duties and will be in the public interest.

(2) It has not been certified that the loance applicant is unable to purchase the conveyance without advance from Government as required under sub-rule 3 of Rule 10.21 of H.P. Financial Rules, Volume I.

(3) It has not been indicated whether the loanee Government servant is permanent Government servant or he is temporary Government servant and if temporary the surety bond from a permanent Government servant is not available on the record and it has not been certified that he/she will continue in service for a sufficiently long period till the full recovery of the advance is made from him/her.

(4) Proforma invoice/permission for purchase of scooter is not available on record.

[H.P. Govt., F.D., O.M. No. Fin (D) (B) 6-12/90, dated the 19th July, 1991]

(10) Application to indicate conveyance advance(s) previously availed of by employee and his/her spouse.— मुझे यह कहने का निदेश हुआ है कि वित्त तिभाग में विभागों से कार व स्कूटर की राशि के आवंटन के लिए जो भी प्रस्ताव आ रहे है उसमें यह कहीं भी स्पष्ट नही किया जाता कि क्या कर्मचारी या उनकी पत्नी /पति यदि राज्य सरकार की नौकरी में हैं, पहले इस प्रकार के अग्रिम लेने के लिए प्रार्थना पत्र दिया है और अग्रि राशि स्वीकृत कराई है या नहीं। प्रार्थना पत्र को पूर्ण रूप से परीक्षण करने के लिए यह आवश्यक होगा कि विभाग निकट भविष्य में जब भी किसी कर्मचारी/अधिकारी के अग्रिम के लिए प्रस्ताव भेजें उसमें यह भी स्पष्ट किया जाये कि क्या कर्मचारी की पत्नी/पति ने पहले कोई ऋण लिया है या नहीं, यदि लिया है तो उसका स्पष्ट विवरण दिया जाये।

यदि उपरोक्त वूचना प्रार्थना पत्र में या प्रस्ताच में नहीं होगी तो वित्त विभाम प्रार्थी के प्रार्थना पत्र को वापिस लौटायेगा जिससे इस कार्य में विलम्ब हो सकता है। अतः यह सूचना सभी मामलों में अवश्य दी जाये।

कृपया पावती भेजे।

[H.P. Govt., F.D., letter No. Fin. (D) (B) 6-12 90-I, dated the 26th August, 1995]

(11) Maruti cars/other Maruti vehicles purchased with conveyance advance not to be alienated/sold for one year as Maruti loans are advanced on priority.— It has come to the notice of the Government that some Government servants who purchase Maruti vehicles after obtaining advance from the Government either in full or partially, resort to selling such vehicles for one reason or other. This is not proper since Maruti loans are advanced on priority to prevent booking from lapsing on the assumption that officers require these vehicles for their personal use. It has, therefore, been decided as a policy that Maruti cars/other Maruti vehicles shall not be sold or alienated for one year from the date of acquisition/purchase under any circumstances. In exceptional cases and for very pressing reasons this condition can be relaxed only by the Finance Department. These instructions may kindly be brought to the notice of all concerned for strict compliance.

The above instructions shall be applicable with immediate effect.

Please acknowledge receipt,

[H.P. Govt., F.D., letter No. Fin. 2-C (11) - 17/85, dated the 19th August, 1986]

(12) Two sets of sanctions required for sale of car purchased with advance from Government.— A question has been raised whether the sanction of the competent authority under para. 256 (v) of the General Financial Rules (*under Rule 10.21 of H.P. Financial Rules, Vol. I in case of H.P. Government employees*) for the sale of a car or other conveyance purchased with advance from Government, before repayment of the advance together with interest, can be deemed to carry with it the permission of the competent authority under Rule 18 of the Central Civil Services (Conduct) Rules, 1964, relating to transactions of movable property.

The matter has been considered by this Ministry in consultation with the Comptroller and Auditor-General and the Ministry of Finance. Since the objects of according sanctions under the two sets of rules are quite different, it has been decided that separate sanctions under the General Financial Rules (*under the H.P. Financial Rules, Vol. I in case of H.P. Government employees*) and under the Conduct Rules should be taken by a Government servant when the sale of the conveyance is made otherwise than through a regular or reputed dealer or agent.

In all cases, whether the sanctioning authorities under the two sets of rules are the same or different, in order to obtain the required sanctions expeditiously, the Government servant will be well advised to obtain first the sanction under the General Financial Rules *(under the H.P. Financial Rules, Vol. I in case of H.P. Government employees),* as at that stage he will not be required to furnish details of the prospective purchaser, sale price etc., which would be required before the permission under the Conduct Rules is given. After obtaining this sanction, he may settle the details with the intending purchaser and apply for permission under the Conduct Rules stating clearly that necessary sanction under the General Financial Rules (*under the H.P. Financial Rules, Vol. I in case of H.P. Government employees*) had already been obtained. The authority issuing sanction under the General Financial Rules (*under the H.P. Financial Rules, Vol. I in case of H.P. Government employees*) should specify in the sanction itself that the actual sale of the car, if made otherwise than through a reputed or regular dealer or agent, would be subject to the condition that the Government servant also obtains the prior sanction of the competent authority under the Conduct Rules for the sale of his car, so that this requirement is not overlooked by the Government servant.

[G.I., M.H.A., O.M. No 25/47/58- Ests. (A)., dated the 5th August, 1959]

(13) Transaction between two Government servants not exempt from operation of Rule 18 of Conduct Rules.— A question was raised whether considering the delay that sometimes takes place in giving permission to a Government servant for the acquisition/disposal of movable property and consequent risk of the transaction falling through, transaction in movable property at least between two gazetted officers or, for that matter between any two Government servants (irrespective of whether they are gazetted or non-gazetted), who are not connected with each other in their official capacity, should not be exempted from obtaining prior permission of the prescribed authority. The matter has been considered and it has been held that it will not be appropriate to make an exception in the case of any particular kind of transaction (to the extension of others) from the operation of Rule 18(2). Transactions between two Government servants do not acquire any different character just because these are transactions between Government servants. Also it cannot be said that transactions between two gazetted officers not connected with each other in their official capacity are in any way different from transaction between a Government servant and a private party who have no connection with each other. Moreover, the difficulty, if any, in keeping the offer alive till a sanction is obtained, is common to all transactions entered into personally with another party and is not peculiar to transactions between two Government servants alone. The remedy, therefore, lies not in making any exception in favour of transactions between two Government servants but in expediting the issue of the required sanction where there is no *prima facie* reason to probe into the intention of a transaction.

[G.I., Ministry of W & M., A.V. No. 34, dated the 3rd June, 1968]

(b) Advances for the purchase of Motor Cycle/Scooter

10.22. An advance may be sanctioned to a Government servant for the purchase of motor cycle/scooter subject *mutatis mutandis* to the conditions laid down in rule 10.21 and the notes thereunder excepting clauses (2) and (4) thereof, and further to the conditions given below:--

[1](1) That Government servant is in receipt of pay of not less than Rs. 540 p.m.

[1](2) That the amount of the advance does not exceed Rs. 6400 or 15 months' pay or the anticipated price of the motor cycle/scooter, whichever is less. If the actual price paid is less than the advance taken, the balance should be forthwith refunded to Government.

[1](3) That the amount of advance will be recoverable in not more than 80 equal monthly instalments.

Note.— Pay for the purpose of grant of advance for purchase of motor cycle/scooter shall also include "Special Pay", "Personal Pay", Officiating Pay" and "Dearness Pay",

H.P. GOVT. ORDER

(1) Advance for purchase of Motor Cycle/Scooter or Moped — Revised entitlement range, quantum of advance, No. of instalments for recovery of advance and various other decisions.— See various Orders below Rule 10.21.

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[1] Sub rule (1), (2) and (3) of Rule 10.22 substituted *vide* H.P. Govt., F.D., Notification No. Fin. (C) -A (3)- 15/78, dated the 8th March, 1985.

(c) Advances for other conveyances

10.23. An advance may be granted to a Government servant not holiding a post which would ordinarily be held by a member of an All-India Service or Himachal Pradesh Administrative and Police Services for the purchase of means of conveyance other than a motor car, a motor boat or a motor cycle/scooter subject to the following conditions:--

(1) An advance will be allowed only when the appointment held entails duties involving touring. In the case of the purchase of bicycles, an advance may, however, be granted even though the post held does not entail touring, if in the opinion of the sanctioning authority the possession of a bicycle will add to the efficiency of the Government servant concerned.

[1](2) The total amount to be advanced to a Government servant should not exceed Rs. 400/- (Rupees four hundred) or the price of the bicycle, whichever is less, recoverable in not more than 25 equal monthly instalments. If the actual price paid is less than the advance taken, the balance should forthwith be refunded to the Government The recovery will commence with the first issue of pay after the advance is drawn. The amount of interest will be recovered as laid down in clause (v) under rule 10.16 and the notes thereunder.

Note 1.—In the case of purchase of bicycles the amount of advance should be restricted to such special unit as may be imposed by general or special order of the Finance Department,

[2]Note 2.—*See* clause (I) of rule 10.20 which applies *mutatis mutandis* in the case of these advances.

[2]Note 3.—Advances for the purchase of conveyance other than bicycles may be granted to quasi-permanent and temporary Government servants, who have not put in less than three years service, subject to the conditions laid down above, and on their furnishing an acceptable surety of a permanent Government servant.

[2]Note 4.—Pay for the purpose of grant of advances for purchase of "other conveyance" shall also include "Special Pay", "Personal Pay", "Officiating Pay" and "Dearness Pay".

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[1] Para (2) below Rule 10.23 substituted *vide* H.P. Govt., F.D. Notification No. Fin.(C)-A(3)-15/78, dated the 8th March, 1985.

[2] Note 2 below sub-rule (2) of Rule 10.23 deleted and the existing Notes 3,4,5,6 & 7 re-numbered as 2,3,4,5 and 6 *vide* H.P. Govt., F.D. Notification No. Fin. (C)-A (3)-15/78, dated the 8th March. 1985.

[1]Note 5.—Government servants may be allowed a second advance for the purchase of bicycles on the condition that the sanctioning authority is satisfied that the second advance applied for is really required and will be utilized for the purpose for which it is meant. The second advance should not, however, be granted before a period of at least three years from the date of first advance has elapsed. Before allowing the second advance, the sanctioning authority should make sure that the cycle purchased with the aid of the first advance has either been lost or has become unserviceable.

[1]Note 6.—The number of cycle advances to be allowed to a Government servant during the whole of his service career should be restricted to two.

[2](3) The conveyance purchased with the advance will be considered to be the property of the Government until the advance with interest accrued thereon is repaid.

[2](4) A Government servant who takes an advance under this rule should within one month after drawing the advance, furnish the head of the office with a certificate giving full particulars of the coveyance purchased with the advance and the cash receipt obtained for the amount actually paid for it

H.P. GOVT. ORDER

(1) **Advance for purchase of bicycle – Revised entitlement range, quantum of advance, and No. of instalments for recovery of advance.**— See Order (1) below Rule 10.21.

(IV) ADVANCES FOR PURCHASE OF TYPEWRITERS

10.24. An advance may be granted under proper sanction (*vide* rule 10.1) to a permanent Government servant for the purchase of a typewriter subject to the following conditions:--

(1) An advance will be given only when the sanctioning authority considers that it is in the interest of the public service that the official should use a typewriter in the discharge of his duties.

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1. Note 2 below sub-rule (2) of Rule 10.23 deleted and the existing Notes 3,4,5,6 & 7 re-

(2) The total amount to be advances to a Government servant shall not exceed Rd. 400, or the anticipated price of the typewriter, whichever is less. If the actual price paid is less than the advance taken., the balance shall be forthwith refunded to Government. A Government servant obtaining an advance shall produce satisfactory evidence, for the information of both the Accountant General as well as the sanctioning authority, that the machine has been actually purchased, and that the amount spent is not less that the amount advanced.

(3) Recovery shall be made by deducting monthly instalments, equal to 1/20th of the advance, from the pay bill of the Government servant. The amount of interest calculated in accordance with rule 10.15 will be recovered as laid down in rule 10.16, clause (v) and the note thereunder.

(4) The typewriter purchased with the advance will be considered to be the property of Government until the advance with interest accrued thereon is repaid.

The provisions of clause (7) of rule 10.21 and conditions (a),(b) and (c) laid down therein apply *mutatis mutandis* to the sale of a typewriter purchased with an advance taken from Government.

Note .— See clause (1) of rule 10.20 which. applies *mutatis mutandis* to these advances also.

(V) ADVANCE TO GOVERNMENT SERVANTS ON THE EVE OF IMPORTANT FESTIVALS

10.25. An advance may be granted on the eve of important festivals on the following terms and conditions :-

(i) The amount of the advance will be Rs. 200 or one month's basic pay as defined in [old rule F.R. 9 (21) (a) (i)] H.P.C.S.R., Volume I, whichever is less.

(ii) The advance will be recovered in four equal monthly instalments, the first instalment commencing with the next month's pay bill, i.e., the pay bill of the month following that in which the advance is drawn. The amount of each instalment shall be rounded off to the nearest rupee, any balance being recovered in the last instalment.

(iii) The advance may be granted both to gazetted and non-gazetted Government servants in receipt of basic pay not exceeding Rs. 850 per mensem. This concession will not be admissible to work-charged staff, who are not entitled to pension, nor to the staff paid from contingencies.

(iv) The advance should not be granted to temporary staff not likely to continue in service, for a period of a least six months beyond the month in which it is drawn.

(v) The advance is admissible only to those on duty or on leave on average pay or earned leave on full pay at the time the advance is drawn.

(vi) A Government servant may be allowed to draw this advance only once in a calendar year.

(vii) A second advance should not be sanctioned till the earlier advance has been recovered in full.

(viii) The advance shall be drawn and disbursed before the festival in connection with which it is sanctioned.

(ix) Before the advance is sanctioned to temporary staff, sureties from permanent Government servants or any other form of security considered adequate by the sanctioning authority shall be obtained. The authorities competent to sanction these advances any, at their discretion, dispense with this requirement in the case of temporary staff who have completed 3 years of continuous service and are likely to continue in service till the adjustment of the advance.

(x) The advance will be interest free.

Note 1.—The heads of offices will be competent to sanction the advance in the case of class III and class IV Government servants and heads of departments in the case of gazetted officers.

Note 2.—The Government servant obtaining the advance should furnish a certificate within two months of the drawal of the advance to the effect that the whole of the advance had been utilised for the purpose for which it was obtained.

Note 3.—The festival advance will be admissible only on one occasion in the calender year. The competent authority for the purpose of fixing the festival occasions will be the head of the department concerned. He will fix the festival occasions on which such advances will be allowed, after taking into consideration the importance attached locally to such festivals and in consultation will recognised associations of staff where such festivals and in consultation with recognised associations of staff where such associations exist.

The sub-office of an office located at different stations may be treated as separate establishment for this purpose, but no member of any establishment shall be granted more than one such advances in one calendar year.

H.P. GOVT. ORDERS

(1) **Festival Advance – Classification and reconciliation.—** (a) Festival advances being loans should be accounted for under "Loans to Government servants."

[Extract from para 9.3 of Chapter IX of Synopsis of Recommendations made by the Team (set up by the Government of India) on reforms in the Structure of Budget and Accounts, circulated vide H.P. Govt., F.D., letter No. 3-21/73 - Fin (A), dated the June, 1973]

(b) In Demands for Grants for 1987-88. Festival Advance has been shown as a distinct standard object of expenditure (S.O.E.). The recoveries on account of Festival Advances have also been shown in the Demands for Grants at the end in reduction of expenditure. You may kindly ensure that the bills for the drawal of Festival Advances are properly classified. Similarly, the recovery should also be properly classified. Both the expenditure on Festival advances and recoveries should be reconciled regularly in the office of the Senior Deputy Accountant-General (A & E), H.P.

You may kindly issue suitable instructions to all the Drawing and Disbursing Officers under your control accordingly for keeping proper accounts of drawal of Festival Advances and of their recoveries and their proper reconciliation in the office of the Senior Deputy Accountant-General (A & E), Himachal Pradesh.

[H.P. Govt., F.D., O.M. No. Fin-A-C(17)-3/86, dated the 2nd June, 1987]

(2) **Employees drawing basic pay not exceeding Rs. 1760 P.M. entitled to Festival Advance.—** The Governor H.P. is pleased to order that in the revised pay scales the officials drawing basic pay not exceeding Rs. 1760 P.M. shall be entitled to draw festival advance.

The other conditions regulating grant of festival advance shall remain the same as already prescribed from time to time.

These orders shall be applicable with immediate effect.

[H.P. Govt., F.D., O.M. No. Fin (C)-A(3)-9/80, dated the 10th August, 1989]

(3) **Raising of amount of Festival Advance to Rs. 600.—** The undersigned is directed to invite a reference to this Department's O.M. of even number dated the 14th July, 1992 (*Not reproduced*) on the subject cited alone and to say that the Governor, H.P., is pleased to order the enhancement

of the monetary limit for the grant of Festival Advance to Rs. 600 (Rs. Six hundred only) with immediate effect.

2. Other conditions regulating grant of Festival Advance shall remain the same as already prescribed from time to time.

[H.P. Govt., F.D., O.M. No. Fin (C) A (3) 9/80, dated the 17th June, 1997](VI)

(VI) OTHER ADVANCES

10.26. Advances may also be made for the purposes specified below:–

Advances on transfer

(a) Advances may be made to a Government servant under orders of transfer, up to an amount not exceeding one month's substantive pay *plus* the travelling allowance to which he may be entitled under the rules in consequence of the transfer, (*see* also rule 10.13) such advances may be sanctioned by the head of office or by any other subordinate authority. *See* also note 7 below.

The advances should be recorded on the Government servant's last pay certificate. The advance of pay should be recovered from the pay of the Government servant in not more than six monthly instalments, the recovery commencing from the month in which the Government concerned draws a full month's pay or/and leave salary on joining his new appointment. The advance of travelling allowance should be recovered in full on submission of the Government servant's travelling allowance bill.

Note 1.—Authorities competent to sanction advance under this clause may sanction such advances for themselves also.

Note 2.—An advance under this clause is also admissible to a Government servant who receives orders of transfer during leave.

Note 3.—This clause does not preclude the grant of a second advance to a Government servant to cover the travelling expenses of any member of his family, who follows him within six months from the date of his transfer and in respect of whom an advance of travelling allowance has not already been drawn.

Note 4.—When a single lump sum advance is drawn to cover the travelling expenses both of the Government servant himself and of his family, it may be adjusted by the submission of more than one bill if it so happens that the members of the Government servant's family do not actually make or complete the journey with him. In such a case, the Government servant should carefully certify on each adjustment bill submitted by him that a further bill in respect of travelling allowance of the members of his family (to be specified) who have not yet completed the journey will be submitted in due course and is expected to include an amount not less than the balance of the advance left unadjusted in this bill.

Note 5.—The advance of pay under this clause may be allowed to be drawn at the new station soon after the arrival of the Government servant there, on production of the last pay certificate showing that no advance was drawn at the old station.

Note 6.—The amount of advance to be recovered monthly should be fixed in whole rupees, the balance being recovered in the last instalment.

Note 7.—A Superintending Engineer or Divisional Officer of the Public Works and Multipurpose Projects and Power Departments may grant advances to any Government servant under his jurisdiction including himself.

Note 8.—In the Public Works and Multipurpose Projects and Power Departments if the encashment of a bill for an advance on transfer is likely to delay a transfer which is urgently necessary in the public interest the advance may be made from the permanent advance (if any), works imprest or other available cash in the hands of the disbursing officer concerned, pending recoupment when the bill is subsequently encashed.

Note 9.—The sanction of the competent authority to personal advances may, if preferred, be obtained in the form of countersignature on the bill itself before it is presented in the treasury.

Note 10.—Where after withdrawal of advance under this rule a Government employee does not submit the adjustment bill within one month of the date of completion of the journey, the advance so drawn shall be recovered from the next pay bill or any other dues in one instalment by the Treasury/Sub-Treasury/Assistant Treasury Officer in the case of gazetted officers and by the drawing and disbursing officers in the case of non-gazetted employees.

Note 11.—An advance of travelling allowance under this rule may be made by the competent authority to a temporary Government servant without insisting on a surety from a permanent Government servant; provided it is restricted only to cover conveyance charges on account of the Government servant concerned, his family and his baggage to the new station. The competent authority to do so will be the sanctioning authority in respect of a gazetted Government servant and the head of the department concerned in respect of a non-gazetted or class IV Government servant provided in the latter case the Government servant concerned has completed one year's service and is not likely in the opinion of the head of the department to be discharged within three months of the receipt of the advance. The does not preclude sanctioning of the advance of the pay and travelling allowance to a temporary Government servant on the same basis as for a permanent Government servant provided the surety from a permanent Himachal Pradesh Government servant is obtained.

Note 12.–Advances to Government servants on transfer to foreign service may be sanctioned by the authorities that are competent to sanction the transfer. The reimbursement of the advance to Government by the foreign employer should be made in lump sum by sending a cheque or demand draft in favour of the Accounts Officer on whose books the advance is originally booked.

Note 13.– Advances of pay/T.A. to Government servants, at the time of their reversion from the foreign service, may be sanctioned by the foreign employer. Advance of pay should be granted by the foreign employer only after consultation with the authority competent to sanction the transfer of Government servant to foreign service, on the analogy of the provisions of note 6 below rule 10.21 (7).

Procedure, indicated below, should followed for re-payment of such advances to the foreign employer:–

Advance of pay

Immediately on receipt of a demand from the foreign employer, duly supported by a copy of cash receipt certified by the foreign employer concerned, obtained from the officer concerned at the time of the payment of the advance, the competent authority should refund the total amount to the foreign employer by means of a bank draft. The amount of the bank draft may be debited in the accounts under the head [1]"Departmental Advances—Civil Advances—Objection Book Advances" in Section T—Deposits and Advances—Part III Advances not bearing interest. The recovery of the advance should be watched under rule 10.26 (a).

Advance of T.A.

Since the T.A. for the return journey on the Government servant's reversion to Government service is to be borne by the foreign employer, the advance of T.A. granted by the foreign employer in this regard may be adjusted only on the Government servant furnishing the T.A. bill which should be sent straight to the foreign employer.

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1. Now the head is "8550 – Civil Advances - 103 – Other Departmental Advances - Objection Book Advances" under Sector "K—Deposits and Advances - (C) Advances" as per revised classification effective from 1 st April, 1987.

H.P. GOVT ORDERS

(1) Pay and allowances paid before they are due, to be debited to same head as and when paid after they are due – Advances of pay and T.A. on transfer also to be debited to final head of account and debit to be borne by the department/Government which makes the advances and not to be passed on to the borrowing department/Government.— (a) Moneys advanced for miscellaneous purposes under special authority and recoverable in cash and sums overpaid on vouchers other than those for service payments shall be adjusted under the head "850 - Civil Advances" . Payment made on account of Government expenditure should not be held under "Civil Advances" on the ground that further proceedings in audit are necessary for their final admission. This head shall cover items which are from their inception debts due to Government recoverable whether in cash or by deduction from pay and allowances. Pay and allowances of any kind in respect of an assignable period paid before they are due shall be debited to the same head as and when paid after they are due.

Advances of Pay and Travelling Allowance on transfer should be debited to the final head of account and not to "Civil Advances". The debit should be borne by the department which makes the advances. The recovery of Pay and Travelling Allowances advances on transfer will, irrespective of the year of recovery, he treated as minus expenditure. The recoveries will be accounted for under the head of account to which the expenditure of the department to which the Government servant is transferred is debited.

[*Article 36 (a) and 36 (b) (I) respectively of Account Code, Vol. I*]

(b) Under the provisions of Article 36 (b) (ii) of Account Code, Volume I (*Not reproduced),* dealing with settlement of pay and TA advances in cases of transfer of Government servants from one Government to another, travelling expenses (both ways) are borne by the borrowing Government and the advance of pay is accounted for in the books of that Government to which the official proceeds on transfer.

2. The existing procedure involves settlement of inter-State transactions with its attendant complication of operation of suspense heads; issuance of cheques and bank reconciliation etc. With a view to avoid inter-Governmental settlements in respect of advance of pay and TA made to Government servants, on their transfer between Central and State Governments, the high powered Committee appointed by the Government under the Chairmanship of Shri K.P. Gethakrishnan, Additional Secretary, Ministry of Finance to rationalise and simplify GFRs., CTRs. and Account Code, Vol. I has recommended that the Government which releases an officer on transfer may finally adjust the advances of pay and TA sanctioned to the officer. The receiving Government would then book the net amount of TA and recoveries of advance of pay in its books.

3. In pursuance of the above recommendations and in consultation with State Governments it has been decided that in cases of transfer of Government servants, from one Government to another, any advance towards pay/TA paid by the lending Government. would be finally booked as revenue expenditure in its books. Recovery/adjustment of these advances from the officer's pay/TA bills will be watched, as at present, through the Last Pay Certificate, and credit/net debit would be accounted for in the same manner in the books of borrowing Government. The same drill will operate in reverse when the Government servant reverts to the parent Government.

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4. In all cases of transfer of Government servants between two Governments whether for proceeding on deputation or on reversion taking place on or after 1-1-1987 settlement of advances of Pay and TA will be regulated in accordance with the revised orders.

5. This issues in consultation with the Comptroller and Auditor General of India *vide* their U.O. No. 1217-AC. I/82-86 dated 29-10-1986.

[Controller General of Accounts; Ministry of Finance, Govt. of India, O.M. No. 14(6)/66/TA/1143, dated the 17th November, 1986, circulated vide H.P. Govt., F.D., O.M. No. Fin (C) (17)-3/77, dated the 13th August, 1987]

(2) Advance of pay not admissible in case of temporary transfer.— No advance of pay may be allowed in the case of temporary transfers.

[G.I., M.F., O.M. No. F. 7(7) – Estt. IV/B/63, dated the 24th May, 1965, circulated vide H.P. Govt., F.D., O.M. No. 2-9/64 - Fin (R&E), dated the 17th June, 1965]

(3) Advance of pay or T.A. not admissible in mutual transfer cases.— No advance of pay or travelling allowance should be granted in respect of transfers mutually arranged by Government servants among themselves and approved by the appropriate authority.

[G.I., M.F., O.M. No. F. 16-A (I)-E.II (A)/59, dated the 30th January, 1959]

(4) No T.T.A. in case of transfer at own request.— (a) In continuation of this Department letter of even number, dated 3rd May, 1981, I am directed to say that it has been decided by the Government that no T. A. should be paid where the transfer is made at the request of the employee, whether the request is made verbally or in writing, personally or through someone else. However, in a chain of transfers, if a transfer on request results in other transfers (not on request), the other transfers will be treated in public interest and the officials involved in such other transfers would be entitled to T.T.A.

You are, therefore requested to bring these instructions to the notice of all concerned for strict compliance.

[H.P. Govt., Personnel Deptt., letter No. Per (AP-II)-A(6) 4/77 (IV), dated the 11th July, 1984]

(b) In continuation of this Department letter of even number, dated 11th July 1984 on the subject cited above and to say that clarifications have been sought by the various departments whether the persons, who apply voluntarily for their transfers to serve in tribal areas again request for their posting at places of their choice will be entitled to Transfer T. A.

It is clarified that so far as the persons belonging to particular tribal area and transferred to that tribal area on their own request are concerned they are not entitled to T.T.A.

As regards persons who voluntarily go to tribal areas and are transferred from tribal areas after completion of their tenure they are entitled to T.T.A. even if latter category of employees are transferred on request to stations of their choice.

These instructions may please be brought to the notice of all concerned.

This issues with the concurrence of Finance Department (Reg) obtained *vide* their U.O. No. 2039 (Fin) (C) A (3) 20/80, dated 17-10-1984.

[H.P. Govt., Personnel Deptt., letter No. Per (AP-II) A (6) 4/77-IV, dated the 20th November, 1984]

(c) When a Government servant is transferred otherwise than for the public convenience, a copy of the order of transfer should be sent to the Audit Office of the circle of audit in which he is serving with an endorsement stating the reason for the transfer. In the absence of such an endorsement, the Audit Officer shall assume that the Government servant has been transferred for the public convenience.

In the case of non-gazetted Government servants a certificate from the Head of Office will be accepted in lieu of the copy of the order of transfer.

[Para 16, Sec. II of Manual of Audit Instructions (Reprint)]

(5) T.T.A. Advance to be paid to transferred employee within three-four days of receipt of transfer orders.— Sometimes timely non-payment of advance T.T.A. becomes an excuse for the transferred officials not to leave the station. Accordingly all drawing and disbursing officers should ensure that advance T.T.A. is paid to the transferred officer/official within three-four days of the receipt of the transfer orders.

[Para 21.13 (iv) of Handbook on Personnel Matters, Vol. II (2nd Edition)

(6) Transport of retiring Government servant, family and personal effects from last station of duty to home town - T. A. advance not admissible for such journey performed after retirement.— A question has been raised whether an advance of travelling allowance under the normal rules can be given in the cases covered by G.I., M.F., O.M. No. 5 (109) E. IV/57 dated the 11th July, 1960 (*printed as Decision below Supplementary Rule 147*). The President is pleased to decide that an advance of travelling allowance may be sanctioned by the authorities competent to sanction such an advance in cases of journeys performed during leave preparatory to retirement xxx but not in case of journeys performed after the date of retirement.

[G.I., M.F., O.M. No. F. 16 A (10) E. II.(A)/60, dated the 30th November, 1960] 4

(7) T. A. advance for transport of families and personal effects of Government servants who die while in service.— See Decision below Supplementary Rule 148.

(8) Register for watching adjustment/recovery of T.A. advances.– See Order (5) below Rule 10.26 (d) of this Compilation.

(b) (i) Advances debitable to the head "Advances Repayable" may be made to a Government servant under orders of transfer to Lahaul Spiti district up to an amount not exceeding,

(a) six months' pay and allowances in case of postings to Lahaul Sub-Division, or

(b) nine months' pay and allowances in case of postings to Spiti Sub-Division

at the rate he is drawing on the date of his relief from office, outside Lahaul Spiti district.

The advances shall be recorded on the Government servant's last pay certificate. They should be recovered from the pay of the Government servant in not more than six monthly instalments in cases under clause (a) above or nine monthly instalments in cases under clause (b) above, the recovery commencing from the month in which the Government servant concerned draws a full month's pay or/and leave salary on joining his new appointment.

(ii) Advances may also be granted to Government servants working in Lahaul Spiti, twice a year in the case of Lahaul equal to six months pay and allowances on each occasion and in the case of Spiti equal to nine months pay and allowances on one occasion and three months on the other, at the rates applicable to them in Lahaul Spiti on the date of drawal of the advance.

(iii) Advances may also be granted to Government servants working in Kinnaur district, Parganas of Sarahan, Atharabis and Pandrabis of Rampur tehsil and Dodra Kawar area of Rohru tehsil of Mahasu district and Pangi tehsil of Chamba district, once a year, as under :–

(a) Kinnaur district (b) Parganas of Sarahan, Atharabis and Pandrabis of Rampur tehsil, and Dodra Kawar rea of Mahasu district.	Four months' pay and allowances for the period 1st November to the end of February, during the month of October.
(c) Pangi Tehsil of Chamba District	Five months' pay and allowances for the period 1st October to the end of February, during the month of September.

These advances shall, in the first instance, be debitable to the relevant head [1]"Pay of Officers" and "Pay of Establishment", etc., as the case may

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1. Now the relevant head is "Salaries" in place of "Pay of Officers" and "Pay of Establishment" as per Account Code. Vol. I.

be. But the outstanding amount in respect of Government servants whom advances have been paid and who are transferred out of the area mentioned in (i) (ii) and (iii) should be transferred to the "Advances Repayable" by corresponding credit to the head of account to which the amount had been previously debited, and such adjustment carried out before the close of the financial year by sending necessary intimation to audit office. The outstanding amount shall be recoverable in the same number of instalments, in which it would have been recovered, had the officer/official continued to serve in the aforesaid areas. The total number of instalments will be three, six or nine months' pay and allowances respectively.

The grant of these advances of pay and allowances will be subject to the following further conditions:--

(1) The Government servants concerned would furnish adequate security from permanent Government servants of comparable or higher status.

(2) The adjustment of the advance should be carefully watched. It should be ensured that this concession does not result in any loss to the Government.

(3) A stamped bond, in order to safeguard against loss of Government money, to the effect that in case of his quitting the service of the Himachal Pradesh Government, before 1st March for any reason whatsoever, he will repay the same in full, or in case he is unable to repay the same in full, the same will be recoverable from his legal heirs or from the Government dues to his credit, should invariably be obtained from the Government servant concerned before disbursing the amount.

(4) Any particular permanent Government servant should not be acceptable as surety at the time of executing the bond for more than one temporary government servant.

(5) The bonds so executed should be kept in safe custody till the amount is finally adjusted or the expiry of the specified period, 31st March, as the case may be.

(6) In case a Government servant posted in the aforesaid areas who has been paid his salary in advance, is transferred out of that locality, to an office where this concession is not admissible and the establishment charges are debitable to a different head of account, the amount which works out as overpaid on the date of handing over charge, should be shown in the last pay certificate, and the balance transferred to the head "Advances Recoverable".

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(7) (a) The amount so put under head "Advances Recoverable" against the Government servants concerned should be adjusted in the debit section of accounts by minus debit to the head of account to which the advance of pay and allowances was debited in the first instance.

(b) The official should not be paid his salary till the entire advance is recovered through adjustment before the close of the financial year. If the amount cannot be so adjusted the balance should be recovered in cash, before 31st March, as the case may be.

(8) If the Government servant concerned quits service before the 28th/29th February, the amount in question should be recovered in cash, before the close of financial year.

(9) In case where the transfer is to an office outside the locality where this concession is admissible and the establishment charges are debitable to the same head of account to which the pay and allowances of the Government servant concerned were originally debited, the amount in question should be adjusted against the pay to be disbursed in the new office or by recovering the same in cash before the 31st March.

Note 1.—Disbursing officers are competent for the grant of advances under this sub-rule and may sanction such advances for themselves also.

Note 2.—An advance under clause (i) is also admissible to a Government servant who receives orders of transfer during leave.

Note 3.—The amount of advance to be recovered monthly should be fixed in whole rupees, the balance being recovered in the last instalment.

Note 4.—The sanction of the competent authority to personal advances may be obtained in the form of countersignature on the bill itself before it is presented in the treasury.

H.P. GOVT. ORDERS

(1) **Advance of pay and allowances to employees under orders of transfer to/working in Pangi Sub-Division of Chamba District.**— The undersigned is directed to invite reference to rule 10.26 (b) (iii) (c) of the Himachal Pradesh Financial Rules. 1971, Volume I, according to which the Government servants working in Pangi Sub-Division of Chamba District are to be granted advance of five months' pay and allowances for the period 1st October to the end of February, during the month of September every year. Keeping in view the remoteness of the locality and the working conditions especially when the area remains cut-off for considerable period, the Governor, Himachal Pradesh, on re-consideration, is pleased to order that for the purpose of granting such advances, the pattern laid down in Rule 10.26(b) (i) and (ii) of the rules *ibid* for Lahaul Sub-Division of Lahaul & Spiti District as reproduced below shall apply to the employees posted in Pangi Sub-Division :—

"(b) (i) Advances debitable to the head 'Advances Repayable' may be made to a Government servant under orders of transfer to Lahaul Spiti district up to an amount not exceeding ;

(a) six months' pay and allowance in case of postings to Lahaul Sub-Division, or

(b) x x x x x x x x

at the rate he is drawing on the date of his relief from office, outside Lahaul Spiti district.

The advances shall be recorded on the Government servant's last pay certificate. They should be recovered from the pay of the Government servant in not more than six monthly instalments in cases under clause (a) above or x x x x x x x x x x x x, the recovery commencing from the month in which the Government servant concerned draws a full month's pay or/and leave salary on joining his new appointment.

(ii) Advances may also be granted to Government servants working in Lahaul Spiti, twice a year in the case of Lahaul equal to six months pay and allowances on each occasion and x x x x x x x x x x x x x x x at the rates applicable to them in Lahul Spiti on the date of drawal of the advance".

[H.P. Govt., F.D., O.M., No. Fin (C) -A (2) -23/76, dated the 24th September, 1980]

(2) Employees posted in certain localities of remote areas entitled to four months' pay and allowances in advance.— The question of extending the provision of rule 10.26 (b) (iii) (c) of the Himachal Pradesh Financial Rules, 1971, Volume I, about payment of pay and allowances in advance to employees in certain localities though falling in the category of remote and inaccessible areas but are not covered by the aforesaid provision was receiving attention of the Government for some time past. After taking into consideration all relevant factors, the Governor, Himachal Pradesh is pleased to order that the employees posted in the under-mentioned areas shall also be entitled to *four months'* pay and allowances, in advance, for the period 1st December to the end of March payable during the month of November :–

1. Bharmour Sub-Division of Chamba District;
2. Gram Panchayats of Munish, Darkali and Kashapat of Rampur tehsil of Shimla District;
3. Parganas of Pandrabis of Kulu District; and
4. Bara Bhangal area of Palampur tehsil of Kangra District.

2. The conditions which regulate the payment of these advances will be the same as prescribed for other remote localities in rule 10.26 (b) (iii) of the aforesaid Rules.

[H.P. Govt., F.D. O.M. No. Fin. (C)-A (2)-23/76, dated the 21st April, 1981]

(3) Advance of pay to the teachers posted in Summer Closing Schools.— The question of extending the provision of rule 10.26 (b) (iii) (c) of the [1]H.P.F.R., 1971, Vol. I, about payment of pay and allowances in advance to the teachers posted in the Summer Closing Schools but not covered by the aforesaid provision was receiving attention of the Government for some time past. After taking into consideration all relevant factors, the Governor, H.P. is pleased to order that the teachers including other employees of the Education Department posted in these schools which stand declared as Summer Closing Schools, shall also be entitled to one month's pay and allowances in advance, for the period 1st July to 31st July, payable during the month of June, every year.

The conditions which regulate the payment of these advances will be the same as prescribed in rule 10.26 of the aforesaid rules.

[*H.P. Govt., F.D., O.M. No. 1-17/73-Fin. (Reg), dated the 12th August, 1985*]

(4) Advance of pay to the teachers posted in Winter Closing Schools.— In continuation of the Department O.M. of even number dated 11th July 1984, on the above object the Governor Himachal Pradesh is pleased to order that pay and allowance for the months of December and January of teachers posted in those schools which stand declared as Winter Closing Schools, shall be drawn and discussed in advance on the 23rd December, every year.

2. The conditions for regulating payment of these advances shall be the same as prescribed in Rule 10.26 of the H.P.F.R., 1971, Vol. I.

[*H.P. Govt., F.D., O.M. No. 1-17/73 Fin (Reg), dated the 18th December, 1988.*]

(5) Pay and allowances paid before they are due to be debited to same head as and when paid after they are due - Advances of pay and T. A. on transfer also to be debited to final head of account and debit to be borne by the department/Government which makes the advances and not to be passed on to the borrowing department/Government.— See Order (1) below Rule 10.26 (a).

Advances on return from leave or deputation out of India and while proceeding on deputation outside India

(c) Advances may be granted to Government servants not subject to Military rules :—

(i) On return from leave or deputation elsewhere than in India, Ceylon, Nepal and Burma, of an amount not exceeding two months' substantive pay or Rs. 1,000, whichever is less, provided that the leave was not leave on average pay not exceeding four months or any other leave equivalent thereto and that no advance has been drawn under clause (a) above.

Exception.—The recovery of an advance made under the Military Leave Rules to a Military Officer in civil employ subject to the Military Leave Rules is regulated by those rules.

(ii) Who proceeds on deputation outside India may be granted advances subject to the following conditions:--

(1) the period of deputation is not less than one month;

(2) the amount of advance is limited to a month's pay of the officer and is recovered in not more than three monthly instalment; and

(3) In the case of temporary Government servants, surety from a permanent Government servant is obtained before the advance is sanctioned.

Advances for journeys on tour

(d) Advances may be made under the rule specified below:--

(i) To a Government servant, other than an inspecting officer, for himself or an assistant or deputy, proceeding on tour up to an amount sufficient to cover for a month his contingent charges, such as those for the hire of conveyances or animals for the carriage of records, tents or other Government property, subject to adjustment, upon the Government servant's return to headquarters or 31st March, whichever is earlier.

Note.— Advances under this sub-clause may be granted by heads of offices but they should not be applied to the expenditure of any gazetted Government servant, except that of a Government servant of the Forest Department which is meant to be covered by his travelling allowances.

(ii) To a Government servant, proceeding on tour, of an amount sufficient to cover his personal travelling expenses for a month, subject to adjustment on completion of the tour or 31st March, whichever is earlier.

(iii) To a Government servant proceeding on a prolonged tour in the interior to places which are difficult of access, of an amount sufficient to cover contingent charges in terms of sub-clause (i) above and personal travelling expenses in terms of sub-clause (ii) above for six weeks, subject to adjustment on completion of the tour or 31st March, whichever is earlier.

Note 1.—Advances under sub-clauses (i), (ii) and (iii) which are drawn in the month of March may be adjusted on completion of the journey or by the 30th April, whichever is earlier.

The expression "personal travelling expenses" in sub-clauses (ii) and (iii) should be taken to include not only the daily allowance, but also the road mileage and the fares and incidentals for the journeys both ways. The daily allowance may be calculated for the likely period of halt at an outstation, not exceeding 30 days or six weeks in any case, as the case may be.

Note 2.—(a) Advances under sub-clause (ii) may be granted by heads of offices to officers subordinate to them.

(b) Advances under sub-clause (ii) may be sanctioned to themselves by all officers declared to be their own controlling officers.

(c) Advances under sub-clause (ii) to heads of offices who are not their own controlling officers may be sanctioned by the respective controlling officers.

(d) Advances under sub-clause (iii) may be granted by Heads of Departments.

Note 3.—*See* N.B. under clause (f) below.

Note 4.— Where after drawal of an advance under this rule a Government employee has not submitted the adjustment bill in due time and consequently his right to T.A. claim stands forfeited under clause (e) of rule 2.25, the advance so drawn shall be recovered from his pay bill or any other dues in one instalment by the authority competent to sanction such an advance.

H.P. GOVT. ORDERS

(1) T.A. advance to Government servant under suspension for attending enquiry in connection with his suspension.— Central Government servants under suspension who are required to attend an enquiry in connection with their suspension outside their headquarters may be paid advance of daily allowance in addition to advance of actual fare. The advance of daily allowance would be restricted to allowance admissible for the period of journey *plus* daily allowance for one day at the station of enquiry. In case, however,, where the enquiring authority specifies the period for which presence of the Government servant is required advance of daily allowance may be granted for such period.

[G.I., M.F., O.M., No. F. 17 (2) E. II (A)/85, dated the 28th August, 1986, circulated vide H.P. Govt, F.D., O.M. No. Fin (C)-A(3)-1/80-II, dated the 8th October, 1986]

(2) T. A. advance for journeys undertaken by Government servants and members of their families to obtain medical attendance and treatment.— See Supplementary Rules/C.S. (Medical Attendance) Rules.

(3) T. A. advance not admissible to a retired Government servant for attending departmental enquiry instituted against him.— No advance of travelling allowance should, however be paid in connection with such journeys.

[Last para of G.I., M.F., U.O. Note No. 3221-E.IV (B)/61, dated the 20th November, 1961]

(4) T. A. advance not admissible to retired Government servant who is summoned by Court of Law for giving evidence in departmental cases or who is called upon by Government to present its case or to act as complainant on its behalf.— No T. A. advance will be paid in connection with such journeys.

[Extract from G.I., M.F., O.M. No. 19011/1/87-E.V., dated the 15th July 1987, circulated vide H.P. Govt., F.D., O.M., No. Fin (C)-A(3)/88, dated the 5th April, 1988]

(5) Maintenance of register for watching adjustment/recovery of T. A. advances.— The undersigned is directed to refer to this Ministry's O.M. of even number dated the 5th March 1969, on the above subject which provides for the recovery in one instalments of T. A. advance availed of by a Central Government servant from his pay bill or any other dues when his T. A.- claim is forfeited under S.R. 194-A. A question has been raised as to how such recovery can be effected in the case of Gazetted Government servants.

It is observed that the departmental authorities concerned cannot effect such recoveries unless a retrenchment slip is issued to the Treasury Officer concerned by the Audit and/or Accounts Officer concerned. The Audit and/or Accounts Officer concerned cannot *suo motu* issue retrenchment slips even if the wanting T. A. adjustment bills are not received by him within one year of the date of the completion of journey because the Audit Officer would not know what T. A. bills are pending with the Heads of Offices or the Controlling Officers for administrative reasons in which case the Government servant's right to T.A. claim remains in tact in accordance with the provisions contained in Finance Ministry's O.M. of even number dated 24-7-1968. Thus the mode of recovery of T.A. advance prescribed in the O.M. dated 5-3-1969 does not meet the requirements in the case of Gazetted Officers.

3. In order to overcome this difficulty the President is pleased to decide that the Controlling Officers/Heads of Offices should maintain a register indicating (1) Serial No., (2) Name of the officer to whom the T.A. advance has been sanctioned, (3) the quantum of advance, (4) No. and date of orders sanctioning the advance, (5) The date on which adjustment bill has been submitted, (6) the reasons for not submitting the bill immediately on completion of the journey or by 31st March, whichever is earlier, (7) whether the time limit has expired and if so, whether audit has been requested to issue retrenchment slips, (8) Remarks, if any. The register should be checked every month by the Controlling Officer/Head of Office, as the case may be and in cases where, in their opinion, the provisions of S.R. 194-A become applicable, i.e. T.A. advances are pending adjustment for more than one year, the Audit and/or Accounts Officer should be asked to issue the necessary retrenchment slips to the Treasury Officers concerned.

[G.I., M.F., O.M. No. F. 23 (5) - E.II (A)/67, dated the 30th March, 1970, circulated vide H.P. Govt., F.D., O.M. No. 17-7/69 - Fin (R & E)), dated the 29th June, 1970]

Advances for expenses connected with Remittance of Treasure

(c) By the Collector to a Treasury Officer or District Superintendent of Police, for expenses connected with a remittance of treasure, to be adjusted when the duty is completed.

Note.— *See* N.B. under clause (f) below.

Advances for Law Suits

(f) By the head of an office for law-suits to which Government is a party.

N.B.— The advances mentioned in clauses (c), (d) and (e) are treated as final charges, not as advances recoverable, and to be drawn and accounted for as contingent charges or travelling expenses of establishments advances.

H.P. GOVT ORDER

(1) Classification of Advances for Law Suits.— Advances for law suits shall be debited to the functional expenditure head concerned. Refunds of amounts remaining unspent out of these advances shall be dealt with as cash recoveries and adjusted in accounts in accordance with the provisions in Article 22 of Vol. IV of this Code.

[*Extract from Article 36 of Account Code, Vol. I*]

Advances for purchase of tents

(g) Superintending Engineers may sanction advances to engineering subordinates for the purchase of a tent on the first occasion of their requiring one, such an advance should be limited to a reasonable amount and recovered in twelve equal monthly deductions from pay commencing three months after the date of the advance.

Advances to prisoners released under the Good Conduct Prisoners Probational Release Act, 1926, and to paroles released under the Borstal Act and prisoners released under section 401, Criminal Procedure Code

(h) For relief of distress, purchase of seed, cattle and agricultural implements, maintenance, clothing or any other necessary and reasonable purpose connected with the reformation and uplift.

Advances for the purchase of books

(i) An advance may be granted to a Lecturer/Professor of a Government Arts, Training or Professional College for the purchase of books to build up their libraries subject to the following conditions:--

(i) The total amount of advance shall not exceed Rs. 100 in each case. The Government employee obtaining an advance shall produce evidence to the satisfaction of both the Accountant General as well as the sanctioning authority that the books have been actually purchased and the amount spent is not less than the amount advanced.

(ii) The advance shall be free of interest and shall be recovered in four equal monthly instalments from the pay bills of the Government employee. Recovery of advance will commence with the issue of the pay after the advance is drawn.

(iii) The books purchased with the advance shall be considered to be the property of the Government until the advance is repaid.

(iv) The provisions of clause (7) of rule 10.21 shall apply *mutatis mutandis* to the sale of books.

(v) In the case of temporary Lecturers/Professors the advance shall be granted on the surety of a permanent Government employee.

(vi) Not more than one advance in a calendar year or two such advances throughout his career shall be allowed to a Lecturer/Professor.

(vii) The advance will be classified under head 'Loans to Government servants—Other Advances—Advances for the Purchase of Books'.

Note.—The provisions of clause (1) of rule 10.20 shall apply *mutatis mutandis* to this advance also.

H.P. GOVT. ORDERS

(1) **Advance for purchase of Warm Clothing to the employees of Himachal Pradesh.** – (a) The undersigned is directed to state that the question of continuing the facility of allowing advances for purchase of warm clothing to the employees of H.P. has been receiving attention of the State Government. After considering the matter, the Governor, Himachal Pradesh is pleased to order that Class III and IV employees may be sanctioned advance for the purchase of warm clothing subject to the terms and conditions specified below :-

(i) The advance will be interest bearing and should not exceed [1](Rs. 4500 Rupees four thousand five hundred only) in each case.

(ii) The advance will bear interest at the rate of [2]9%

(iii) The advance will be admissible only once in 3 years. The second and subsequent advance may be sanctioned subject to the condition that the interval between the drawal of the fresh advance and the last advance is not less than 3 years.

(iv) Recovery of advance will be made by deducting monthly instalments equal to [3]one-twentieth part of the advance from the pay bill of the Government servant concerned. It will commence with the first issue of pay after the advance is drawn. The authority sanctioning the advance may, however, permit recovery to be made in a smaller number of instalments if the Government servant receiving the advance so desires. While the amount of last monthly instalment need not to be in whole rupees, the amount of the other monthly instalments should be in whole rupees. The amount of interest will be recovered in an additional instalment in the month following the month in which the recovery of the principal is completed. It should be calculated on balances outstanding on the last day of each month.

(v) The authority competent to sanction the advance will be the "Head of Office."

(vi) The surety of a permanent Government servant of comparable or higher status should be obtained before the advance is sanctioned to a temporary Government servant.

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[1] Amount of warm clothing advance increased to Rs. 4,500/- *vide* H.P.Govt., F.D., O.M. No. 1-10/72-Fin (Reg.), dated the 17 th June, 1997.

[2] The rate of interest was revised to 9 % *vide* H.P.Govt., F.D., No. Fin 2-C (17)-19/84-W&M, dated the 6th September, 1984.

[3] *Vide* H.P. Govt., F.D., O,.M. No. 1-10/72-Fin (Reg.), dated the 8th July, 1978.

(vii) The advance and its recovery should be adjusted under [1]"7610 – Loans to Government servants (i) 800 – Other Advances -12 Loans to Government servants for purchase of warm clothing". The procedure that is followed in the matter of grant of advances for purchase of conveyance should be followed *mutatis mutandis* for watching of recovery etc. In particular an advance should not be sanctioned until a certificate is obtained to the effect that necessary funds for the purpose are available in the year in which the payment of advance is to be made.

2. The undersigned is further directed to say that the Heads of Departments/ Offices under the Government of Himachal Pradesh may now sanction the advance to the employees for the purchase of warm clothing strictly on the terms and conditions as specified above and after obtaining the requisite certificate to the effect that necessary funds for the purpose are available during the financial year in which the payments on account of such advances are to be made by the Departments/offices concerned.

[H.P. Govt., F.D., O.M. No. 1-10/72-Fin. (Reg.), dated the 22nd June, 1972, the 23rd August, 1972, the 18th July, 1978, the 12th September, 1984, & No. Fin 2-C(17)-19/84-W&M, dated the 6th September, 1984 (reg. rates of interest chargeable on loans w.e.f. 1-4-1984)].

(b) With reference to your letter No. Acctts/A/Adv.-/Misc./44 dated the 9th October, 1972, I am directed to say that Warm Clothing Advance is admissible to Class III & IV employees throughout the State as the entire H.P. is a hilly region.

[H.P. Govt., F.D., letter No. 1-10/72-Fin.(Reg.), dated the 27th December, 1972 to the P.M.G., Punjab Circle, Ambala]

(c) With reference to your D.O. letter No. TDH/WCA/State/73-74/560 dated the 25 th August, 1973, I am to state that the certificate of availability of funds is not to be issued by the Audit and Accounts Office. As regards the authority for payment/drawal of advance your attention is invited to this Department O.M. No. 1-2/71-Fin.(Reg.), dated the 29th July, 1972, whereunder authorisation by the Audit and Accounts Office in such cases is not required. I am to inform you that this Government do not feel any necessity to incorporate these rules in "H.P. Financial Rules, 1971, Vol. I". This advance is admissible to all Class III & IV employees of H.P. irrespective of their place of posting.

[H.P. Govt., F.D., letter No. 1-10/72-Fin (Reg.), dated the 9th October, 1973 to the Accountant General, H.P. Shimla]

(d) सर्वोहस्ताक्षरी को इस विभाग द्वारा उपरोक्त विषय पर जारी किये गये समसंख्यक कार्यालय ज्ञापन दिनांक 18 जुलाई, 1978, का प्रसंग जारी रखते हुए यह कहने का निदेश हुआ है कि भविश्य में, सम्बधित कर्मचारियों को गर्म कपडे कय करने हेतु दिये जाने वाले एडवान्स की स्वीकृति के साथ–साथ निम्नलिखित प्रमाण पत्र परीक्षण एवं लेखा कार्यालय को भेजना अनिवार्य होगा :–

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[1] The head of account changed due to revised classification effective from 1st April, 1987.

1. कि उग्रिम की वसूली 20 समान किश्तों में, 20 रूपये *(now Rs.225)* प्रतिमास ब्याज सहित काटी जायेगी तथा इनकी वसूली शीर्ष [1]"7610–सरकारी कर्मचारियों को कर्ज - 800 दूसरे अग्रिम–12 कपड़ों" में डाली जायेगी।

2. कि पिछले तीन वर्षो से इन कर्मचारीयों को कोई अग्रिम नहीं दिया गया।

3. कि जिन कर्मचारियों का अग्रिम स्वीकार किया जा रहा है, विभाग में उनकी इस साल तक रहने की सम्भावना है तथा इस अग्रिम की कटौती अग्रिम की पेमैन्ट होने के उसी मास के वेतन से काट ली जायेगी।

4. कि अस्थाई कर्मचारियों ने आवश्यक शयोरिटी, जो कि इस विषय में नियमानुसार चाहिये, दे दी है।

[H.P. Govt., F.D., letter No. 1-10/72-Fin.(Reg.), dated the 7th November, 1978]

(e) I am directed to invite your attention to this Department letter No. 1-10/72 - Fin (Reg.) dated the 22nd June, 1972 and letter of even number dated the 21st November, 1972 on the subject noted above and to request that your demands for the allocation of funds for the grant of warm clothing advance during the year 1973-74 may kindly be sent to this Department immediately.

2. The requirements of funds may kindly be made strictly in ccordnce with the instructins contained in the aforesaid letters. The names of the officials to whom the advance is to be given may please be indicated showing the date when such advance was perviously given to them to enable this Department to find out the eligibility for the grant of the advance.

[H.P. Govt., F.D., letter No. 5-11/72 -Fin (W&M), dated the 17th /19th April, 1973]

(2) **Grant of advance in connection with natural calamities.**— (a) As the Administrative Departments etc. are aware, almost the entire Himachal Pradesh was affected by floods during the last monsoon season and some of the areas by the recent unseasonal heavy snowfall. The question of providing monetary help by way of advance to enable Government servants, posted in the areas which are affected by natural calamities, to meet their immediate needs, was receiving attention of the State Government for some time. Accordingly, the Governor of Himachal Pradesh is pleased to authorise the Heads of Offices to sanction advance to non-gazetted Government servants under their administrative control, whose property, movable or immovable, has been substantially affected or damaged, in an area which is declared by the Revenue Deptt. to have been affected by a natural calamity. The advance shall be restricted to 3 months' pay, subject to a maximum of Rs. 500 (Five hundred) to be recovered in not more than 24 equal monthly instalments. The other conditions regulating the grant of these advances shall be as under :-

(i) The recovery of the amount of advance shall commence from the second issue of pay after the advance is drawn;

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1. The head of account changed due to revision of classification from 1st April, 1987

(ii) No advance shall be sanctioned to a Government servant if he does not apply for it within three months from the date of Government's orders under which an area is declared to be affected by a natural calamity;

(iii) Normally, a second advance on this account should not be sanctioned if an earlier advance for the same purpose remains unadjusted. If, however, the grant of second advance becomes necessary; the quantum of the second advance *plus* the outstanding balance of the first advance should not exceed the limit laid down above.

2. The expenditure on advances on this account is debitable to Head "7610—Loans to Government Servants— (e) Other Advances – (e) (ii) Advances to Govt. servants in connection with Natural Calamities.

[*H.P. Govt., F.D., O.M. Fin. (C)-A(3)-16/78, dated the 30th April, 1979*]

(b) In the continuation of this department's office memorandum of even number, dated the 30th April 1979, the undersigned is directed to state that of late it has been observed that the concession extended by the Government is not being properly utilised. It has, therefore, been decided by the Governor, Himachal Pradesh that henceforth an advance under this scheme would be admissible only to those non-gazetted Government servants who produce a certificate from a Revenue Officer holding rank not below a Naib-Tehsildar of the area concerned or from the Secretary/Executive Officer of the concerned Municipal Committee/Corporation to the effect that the individual's property, movable or immovable, has been substantially affected or damaged in an area which is affected by the natural calamity, and the extent of loss in which case details of the loss sustained is also certified. For that purpose, the Govt. servant concerned will have to submit an application in the enclosed form, within three months of eventuality. The Administrative Departments will ensure against mis-utilisation of the money so granted.

FORM OF APPLICATION FOR GRANT OF ADVANCE IN CONNECTION WITH NATURAL CALAMITIES

1. Name of applicant (in block letters).
2. Designation.
3. Name of establishment in which employed – Department/Section/Office/
4. Whether permanent or tempoary.
5. Signature in full with name and address of surety from a permanent Govt. servant in case of a temporary employee.
6. Basic pay and dearness pay (to be shown separately).
7. Place where property/belongings has/have been lost/damaged.
8. Nature of loss of or damage to property/belongings and its precise location in case of immovable property.

9. Amount of advance applied for.

I hereby declare that the particulars given above are true.

A copy of certificate of Revenue Officer holding rank not below a Naib Tehsildar/Secretary or the Executive Officer of the concerned Municipal Committee/Corporation to the effect that the individual's property, movable or immovable, has been substantially affected or damaged is enclosed.

Place________________
Date________________ (Signature of the applicant)

[*H.P. Govt., F.D., O.M. No. Fin.(C)-A(3)-16/78, dated the 4th June, 1979*]

(3) **Advance of Leave Salary.—** See Rule 42 of C.C.S (Leave) Rules, 1972 and Decisions thereunder.

(4) **Advances to Government servants to enable them and their families to avail of Leave Travel Concession.—** See Brochure on H.P. Leave Travel Concession.

(VII) CONDITIONS OF REPAYMENT

10.27. All advances are subject to adjustment by the Government servants receiving them in accordance with the rules applicable to each case. When an advance is adjustable by recovery, the amount to be recovered monthly should not be affected by the fact of the borrowing Government servant going on leave of any kind with leave salary or his drawing subsistence grant. A competent authority may, in exceptional cases, order a reduction in the amount of the monthly instalment, provided that in the case of interest bearing advances to Government servants the whole amount due should be completely recovered within the period originally fixed.

H.P. GOVT ORDERS

(1) **Refunds of erroneous or excess recoveries of advances.—** Refunds on account of sums recovered from Govt. employees erroneously or in excess pertaining to various advances, like Wheat Advances, Festival Advances, Recreation Advances etc., detailed accounts of which are not maintained by the Audit Office, may be paid without the intervention of the Accountant-General by the Drawing and Disbursing Officer just like other payments and drawn on a simple receipt form after observing due formalities. In case of Gazetted Officers, the detailed accounts of advances etc. are maintained by the Audit Office and as such the refunds, if any, will continue to be authorised by the Accountant-General.

[*Note under Rule 4.114 of H.P. Subsidiary Treasury Rules*]

(2) **Adjustment of excess recovery of principal towards recovery of interest.—** The recovery made in excess towards principal amount if any is to be got adjusted towards the recovery of interest through the Accountant - General, Himachal Pradesh.

[*Extract from H.P. Govt., F.D., letter No. Fin. 2-C(11)-8/84-II, dated the 29th July, 1987*]

(VIII) IRRECOVERABLE ADVANCES

10.28 A competent authority may remit or write off recovery of any loans or advances which are found to be irrecoverable.

Note. *See* also note 2 below rule 18.3.

H.P. GOVT. ORDERS

(1) ***Ex-gratia* grant and other facilities for families of employees who die while in service - Waiving of the recovery of House Building Advance.**— (a) The undersigned is directed to invite a reference to paras 4 & 5 of this Department's O.M. No. Fin. (C) B (7)-50/77-II, dated 30th March, 1981, and to clarify that where a Government employee dies while in service and without repaying the loan obtained by him or any part of it for construction, repair or purchase of plot or house or interest accrued thereon, such loan or part thereof which remains unpaid shall be written off by the Administrative Department in consultation with the Finance Department, provided that the deceased Government employee is survived by his wife or her husband, as the case may be, and/or his sons, daughters, father, mother, minor brothers and sisters who are unemployed and were entirely dependent on the deceased Government employee as certified by the Deputy Commissioner concerned.

The clarificatory decision will take effect from the beginning of the financial year 1981-82.

[*H.P. Govt., F.D., O.M. No. Fin(C)-A (3)-3/81, dated the 23rd January, 1982*]

(b) I am directed to refer to your letter No. 212/78 (BFC), dated the 19th March, 1983, on the above subject, and to state that in so far as Government servants are concerned, the proposals in the type of cases referred to are considered and the outstanding amount of advance is written off, if it is found that none of the family members or dependants has been provided with employment to whom the responsibility of refunding the amount of loan could be entrusted, having acquired the right to the property left behind by the deceased. Such a sanction is accorded subject to the condition that in the event of dependant or near relative being subsequently appointed the amount so waived off will have to be recovered from him. As in the case referred to, the Road Transport Corporation has provided employment to the daughter-in-law of late Shri.........the case is not covered by the Government's instructions which have been adopted by the Corporation for writing off the unrecovered amount of house building advance alongwith interest thereon. The balance amount of Rs. 1200 alongwith interest on the principal amount is, therefore, required to be recovered from Shrimati............., daughter-in-law of the deceased in easy instalments.

[*H.P. Govt., F.D., letter No. Fin.(C)-C(12)-1/82, dated the 31st March, 1983 to the M.D., H.R.T.C., Shimla.*]

(c) With reference to your letter No. H.O.2-145/81(BFC), dated the 17th June, 1983, on the subject noted above, I am directed to clarify that since the *ex-gratia* payment is granted to the family of the deceased Government employees on compassionate grounds, it would not be appropriate to withhold the amount of *ex-gratia* or a portion thereof, as a security for the recovery of house building advance taken by the deceased employee. As indicated in para 3 of your letter of even number, dated 19th March, 1983, the daughter-in-law of late Sh.............. has been provided with employment by the Himachal Road Transport Corporation and, as such, the unrecovered amount of house building advance including interest thereon will have to be recovered from her in instalments as prescribed in the rules.

2. It is further clarified that the interest is required to be calculated and recovered upto the final payment of the amount of principal.

[H.P. Govt., F.D., letter No. Fin.(C)-C(12) 1/82, dated the 22nd September, 1983 to the M.D.,H.R.T.C., Shimla]

(d) इस विभाग के कार्यालय ज्ञापन संख्या फिन (सी) –बी (7) 50/77-11, दिनांक 30–3–81 के प्रकरण "गृह निर्माण अग्रिम को बकाया राशि" के सन्दर्भ में यह निर्णय लिया गया है कि मृत कर्मचारी के परिवार को देय मृत्यु उपदान (**Death Gratuity**) तथा छुट्टी नकदीकरण (**Leave encashment**) को राशि में से मकान निर्माण/कय/मुरम्मत पर लिये अग्रिम की बकाया राशि तथा उस पर ब्याज की वसुली समायोजित की जाये तथा यदि अग्रिम की शेष राशि + ब्याज फिर भी बच जाये तो उसकी वसूली के लिये हिमाचल सरकार कर्मचारी द्वारा रहन रखी गई सम्पति में से वसूल करने क लिये नियमानुसान सक्षम है । परन्तु मृतक कर्मचारी के परिवार के आश्रित सदस्य यदि वित्तीय संकट में हों तो उस स्थिति में उक्त अग्रिम की ब्याज सहित बकाया राशि को वित्त विभाग के कार्यालय ज्ञापन संख्या फिन (सी) ए (3) 3/81 दिनांक 23–1–82 तथा इस विषय में समय समय पर सरकार द्वारा जारी किये गये अनुदेशों के आधार पर बट्टे–खाते में डालने के लिये प्रत्येक मामला गुण–दोष के आधार पर वित्त विभाग के परामर्श से सरकारी स्तर पर विचारा जायेगा, जिसके लिऐ सम्बन्धित जिलाधीश से इस तथ्य का प्रमाण पत्र प्रस्तुत करना अपेक्षित होगा कि मृतक कर्मचारी के परिचार के पूर्ण आश्रित सदस्यों (जिनमें पत्नी या पति यथास्थिति, आश्रित पुत्रों, पुत्रियों, पिता, माता अवयस्क भाई तथा बहन शामिल हैं) के नाम आयु तथा आय स्त्रोतों के ब्यौरे सहित यह भी प्रमाणित किया जाये कि उनमें से कोई भी सरकारी, अर्धसरकारी एंव स्वायत्त निकायों आदि सस्थानों की नियमित सेवा में नहीं है। ऐसे मामलों में ग्रेच्यूटी तथा छुट्टी नकदीकरण की राशि का भी तब तक भुगतान न किया जाये जब तक अग्रिम को बकाया राशि को बट्टे खाते में डालने हेतु सरकार की स्वीकृति प्राप्त नहीं हो जाये ! यहां पर यह भी स्पष्ट किया जाता है कि अनुग्रहपूर्वक अनुदान राशि (*Ex-gratia*) में से कोई भी कटौती न की जाये !

2. यह आदेश/निर्णय तत्काल से लागू होगा ! पहले वाले मामले जो पूर्व आदेशों के अन्तर्गत निपटाय गये हो पुनः नही खोले जायेंगे !

3. इन आदेशों को कृपया सभी सरकारी कर्मचारियों के नोटिस में तुरन्त लाया जाये !

[H.P. Govt., F.D., O.M. No. Fin (C)-A(3) 3/81, dated the 10th October, 1990]

ANNEXURE

H.P. GOVT ORDERS

(1) Method and example of calculation of interest on loans and advances taken by Government employees.— In continuation of this department Office Memorandum No. Fin (C)A(3)-4/80 dated the 9th July, 1987 [*Item (a) of Order (12) below Rule 10.16*] on the above cited subject, I am directed to say that interest on loans and advances sanctioned to the Government employees from time to time by the Government is not being calculated correctly in terms of rule 10.14 and 10.15 of the H.P. Financial Rules, 1971 Vol. I, whereunder necessary provision has been prescribed as under :–

> "10.15.:"Simple interest at the rate fixed by the competent authority for the purpose should be charged on advances granted to Govt. servants for house building (including advances for the purchase and repair of houses) and for the purchase of motor cars, motor boats, motor cycles and other conveyances and typewriters. The interest should be calculated on balances outstanding on the last day of each month."

2. As would be evident from the above provision of the rules, the interest on long term advances are to be calculated on balances outstanding on the last day of each month commencing from the release of first instalment of the advance. Since the recovery of interest is to commence after repayment of the principal amount, as such aggregate total of monthly outstanding amount shall be taken into account to work out the total interest payable. An illustration to this effect is given as under:–

Total H.B.A. sanctioned Rs. 2.50 lakhs

			Aggregate Total
First instalment released	50,000	4/91	50,000
		5/91	50,000
2nd instalment released	50,000	6/91	1,00,000
		7/91	1,00,000
		8/91	1,00,000
3rd instalment released	75,000	9/91	1,75,000
		10/91	1,75,000
		11/91	1,75,000
4th instalment released	75,000	12/91	2,50,000

The aggregate total of Balance outstanding shall be calculated as per the detailed working shown in the enclosed example I.

Thereafter a recovery (of Rs. 1390/- P.M.) in the enclosed example has started, from this month onwards the balance outstanding shall start decreasing by the amount of recovery. When at the end of total period of recovery the entire amount has been recovered, the interest on the advance shall be calculated @ 12 % (or as may be fixed for different slabs of advances as per the rates prevailing at the time of sanction of the loan) on the following formula:

$$\begin{array}{l}\text{Total of aggregate}\\ \text{amount of balances}\\ \text{at the end of each}\\ \text{month}\end{array} \times \frac{\text{Rate of interest}}{100} \times \frac{1}{12}$$

Thus on the basis of above formula the recovery of principal amount will be made in 180 (maximum) instalments from the pay bill of the Govt, servant concerned and the amount of interest calculated under Rule. 10.15 will be recovered in one or more instalments (maximum 60 instalments). Where the Govt. servant is to superannuate in a period less than aforesaid 180/60 months, the amount of each instalment is so fixed that the entire amount of principal is recovered during the service period of the employee concerned and only the interest amount will spill-over to the D.C.R.G. admissible from which the same may be recovered in lump-sum. However, if the amount of D.C.R.G. is expected to fall short of the outstanding amount of this advance, the instalments of interest be accordingly re-adjusted by way of enhancement of monthly instalments so as to ensure final adjustment from the D.C.R.G.

The above instructions may be brought to the notice of all concerned

[*H.P. Govt., F.D., O.M. No. Fin (C)-A(3)-3/81 - Vol. II, dated the 2nd August, 1991*]

Example - I

Suppose an officer has been sanctioned house building advance of Rs. 2.50 lakh for construction of a residential house in the month of April, 1991. He drew the 1st instalment of Rs. 50,000/- (20 % of the total advance) on 5th April, 1991, IInd instalment of Rs. 50,000 (20 % of the total advance) on 10th June, 1991, IIIrd instalment of Rs. 75,000/- (30 % of the total advance) on 10th Oct., 1991 and IVth and final instalment of Rs. 75,000/- (30 % of the total advance) on 20th December, 1991. The recovery of this advance has been scheduled to be made in 180 monthly instalments i.e. 179 instalments of Rs. 1390/- each and 180th instalment of Rs. 1190/-.

The recovery of advance in this case has been scheduled to be commenced after a period of 24 months from the date of drawal of 1st Instalment of loan. Twenty four months is the maximum time period admissible from the date of drawal of the first instalment of the loan, since all reference periods of the loan relate to the first instalment withdrawal date. The calculation of interest on this advance @ 12 % P.A. will be worked out as under:--

Amount of loan Rs. 2,50,000/-

Month	Recovery	Balance outstanding on the last day of the month
April, 1991	-	50,000
May, 1991	-	50,000
June, 1991	-	1,00,000
July, 1991	-	1,00,000
August, 1991	-	1,00,000
September, 1991	-	1,00,000
October, 1991	-	1,75,000
November, 1991	-	1,75,000
December, 1991	-	2,50,000
January, 1992	-	2,50,000
February, 1992	-	2,50,000
March, 1992	-	2,50,000
April, 1992	-	2,50,000
May, 1992	-	2,50,000
June, 1992	-	2,50,000
July, 1992	-	2,50,000
August, 1992	-	2,50,000
September, 1992	-	2,50,000
October, 1992	-	2,50,000
November, 1992	-	2,50,000
December, 1992	-	2,50,000
January, 1993	-	2,50,000
February, 1993	-	2,50,000
March, 1993	-	2,50,000
April, 1993	1390	2,48,610
May, 1993	1390	2,47,220
June, 1993	1390	2,45,830
July, 1993	1390	2,44,440
August, 1993	1390	2,43,050
September, 1993	1390	2,41,660
October, 1993	1390	2,40,270
November, 1993	1390	2,38,880
December, 1993	1390	2,37,490
January, 1994	1390	2,36,100
February, 1994	1390	2,34,710
March, 1994	1390	2,33,320
April, 1994	1390	2,31,930
May, 1994	1390	2,30,540
June, 1994	1390	2,29,150
July, 1994	1390	2,27,760
August, 1994	1390	2,26,370
September, 1994	1390	2,24,980
October, 1994	1390	2,23,590
November, 1994	1390	2,22,200

Month	Recovery	Balance outstanding on the last day of the month
December, 1994	1390	2,20,810
January, 1995	1390	2,19,420
February, 1995	1390	2,18,030
March, 1995	1390	2,16,640
April, 1995	1390	2,15,250
May, 1995	1390	2,13,860
June, 1995	1390	2,12,470
July, 1995	1390	2,11,080
August, 1995	1390	2,09,690
September, 1995	1390	2,08,300
October, 1995	1390	2,06,910
November, 1995	1390	2,05,520
December, 1995	1390	2,04,130
January, 1996	1390	2,02,740
February, 1996	1390	2,01,350
March, 1996	1390	1,99,960
April, 1996	1390	1,98,570
May, 1996	1390	1,97,180
June, 1996	1390	1,95,790
July, 1996	1390	1,94,400
August, 1996	1390	1,93,010
September, 1996	1390	1,91,620
October, 1996	1390	1,90,230
November, 1996	1390	1,88,840
December, 1996	1390	1,87,450
January, 1997	1390	1,86,060
February, 1997	1390	1,84,670
March, 1997	1390	1,83,280
April, 1997	1390	1,81,890
May, 1997	1390	1,80,500
June, 1997	1390	1,79,110
July, 1997	1390	1,77,720
August, 1997	1390	1,76,330
September, 1997	1390	1,74,940
October, 1997	1390	1,73,550
November, 1997	1390	1,72,160
December, 1997	1390	1,70,770
January, 1998	1390	1,69,380
February, 1998	1390	1,67,990
March, 1998	1390	1,66,600
April, 1998	1390	1,65,210
May, 1998	1390	1,63,820
June, 1998	1390	1,62,430
July, 1998	1390	1,61,040
August, 1998	1390	1,59,650
September, 1998	1390	1,58.260

Month	Recovery	Balance outstanding on the last day of the month
October, 1998	1390	1,56,870
November, 1998	1390	1,55,480
December, 1998	1390	1,54,090
January, 1999	1390	1,52,700
February, 1999	1390	1,51,310
March, 1999	1390	1,49,920
April, 1999	1390	1,48,530
May, 1999	1390	1,47,140
June, 1999	1390	1,45,750
July, 1999	1390	1,44,360
August, 1999	1390	1,42,970
September, 1999	1390	1,41,580
October, 1999	1390	1,40,190
November, 1999	1390	1,38,800
December, 1999	1390	1,37,410
January, 2000	1390	1,36,020
February, 2000	1390	1,34,630
March, 2000	1390	1,33,240
April, 2000	1390	1,31,850
May, 2000	1390	1,30,460
June, 2000	1390	1,29,070
July, 2000	1390	1,27,680
August, 2000	1390	1,26,290
September, 2000	1390	1,24,900
October, 2000	1390	1,23,510
November, 2000	1390	1,22,120
December, 2000	1390	1,20,730
January, 2001	1390	1,19,340
February, 2001	1390	1,17,950
March, 2001	1390	1,16,560
April, 2001	1390	1,15,170
May, 2001	1390	1,13,780
June, 2001	1390	1,12,390
July, 2001	1390	1,11,000
August, 2001	1390	1,09,610
September, 2001	1390	1,08,220
October, 2001	1390	1,06,830
November, 2001	1390	1,05,440
December, 2001	1390	1,04,050
January, 2002	1390	1,02,660
February, 2002	1390	1,01,270
March, 2002	1390	99,880
April, 2002	1390	98,490
May, 2002	1390	97,100
June, 2002	1390	95,710

Month	Recovery	Balance outstanding on the last day of the month
July, 2002	1390	94,320
August, 2002	1390	92,930
September, 2002	1390	91,540
October, 2002	1390	90,150
November, 2002	1390	88,760
December, 2002	1390	87,370
January, 2003	1390	85,980
February, 2003	1390	84,590
March, 2003	1390	83,200
April, 2003	1390	81,810
May, 2003	1390	80,420
June, 2003	1390	79,030
July, 2003	1390	77,640
August, 2003	1390	76,250
September, 2003	1390	74,860
October, 2003	1390	73,470
November, 2003	1390	72,0,80
December, 2003	1390	70,690
January, 2004	1390	69,300
February, 2004	1390	67,910
March, 2004	1390	66,520
April, 2004	1390	65,130
May, 2004	1390	63,740
June, 2004	1390	62,350
July, 2004	1390	60,960
August, 2004	1390	59,570
September, 2004	1390	58,180
October, 2004	1390	56,790
November, 2004	1390	55,400
December, 2004	1390	54,010
January, 2005	1390	52,620
February, 2005	1390	51,230
March, 2005	1390	49,840
April, 2005	1390	48,450
May, 2005	1390	47,060
June, 2005	1390	45,670
July, 2005	1390	44,280
August, 2005	1390	42,890
September, 2005	1390	41,500
October, 2005	1390	40,110
November, 2005	1390	38,720
December, 2005	1390	37,330
January, 2006	1390	35,940
February, 2006	1390	34,550
March, 2006	1390	33,160
April, 2006	1390	31,770

Month	Recovery	Balance outstanding on the last day of the month
May, 2006	1390	30,380
June, 2006	1390	28,990
July, 2006	1390	27,600
August, 2006	1390	26,210
September, 2006	1390	24,820
October, 2006	1390	23,430
November, 2006	1390	22,040
December, 2006	1390	20,650
January, 2007	1390	19,260
February, 2007	1390	17,870
March, 2007	1390	16,480
April, 2007	1390	15,090
May, 2007	1390	13,700
June, 2007	1390	12,310
July, 2007	1390	10,920
August, 2007	1390	9,530
September, 2007	1390	8,140
October, 2007	1390	6,750
November, 2007	1390	5,360
December, 2007	1390	3,970
January, 2008	1390	2,580
February, 2008	1390	1,190
March, 2008	1190	—
Total	2,50,000	2,72,07,100

Formula :

$$\text{Total of balances outstanding on the last day of each month} \times \frac{\text{Rate of interest}}{100} \times \frac{1}{12}$$

$$\text{i.e. } 2{,}72{,}07{,}100 \times \frac{12}{100} \times \frac{1}{12} = 2{,}72{,}071.$$

Total interest worked out Rs. 2,72,071

If the maximum repayment schedule for the above interest is set for 60 months, then the average repayment per month would be set at $\text{Rs. } \frac{2{,}72{,}071}{60} = \text{Rs. } 4{,}534.51.$

So thus, to keep the repayment schedule in whole rupees, now the Government employee would have to pay first the interest in 59 equal instalments of Rs, 4,535/- each and the 60th balance instalment of Rs. 4,506.

Example II

(for marking recovery of interest)

Amount of interest to be deducted from the employee w.e.f. April, 2008 = Rs. 2,72,071/- (as shown in example-I)

Mode of recovery.— Suppose the estimated amount of D.C.R.G. of concerned employee after calculation comes to Rs. 1,25,000/- (on his superannuation), then the amount of interest, if not likely to be recovered in normal procedure, will be deducted from the total amount of interest as under :--

Rs. 2,72,071 *minus* Rs. 1,25,000 = Rs. 1,47,071. Now this amount of Rs. 1,47,071 will be recovered in equal monthly instalments from the pay of the concerned employee who is to retire in less than five years time. The recovery of interest will start from the next month in which the principal amount after recovery became nil i.e. from the month of April, 2008, as shown in example-I. In case time for making recovery of interest falls short, the amount of interest to be recovered may be enhanced by distributing the same equally amongst instalments of recoveries either of principal amount or of interest, whichever is beneficial to the employee, in every way making sure that full and final adjustment of the interest component takes place within the D.C.R.G. that would be due to the employee.

(2) Rate of interest on H.B.A. prior to 1-4-72.— I am directed to refer to your letter No. 13-1/83-Vety-Vol. VI dated 14-1-1987 on the subject cited above and to forward herewith a copy of this department's letter No. 3-64/68-Fin. (Bud) II, dated 30th November, 1971 for information and necessary action. It may, however, the stated that the rate of interest on H.B.A. prior to these orders $5\frac{1}{2}$% P.A.

[*H.P. Govt., F.D., letter No. Fin.2C(11) 20/85, dated the 6th April, 1987 to Director, A.H., Shimla*]

(3) Rate of interest on H.B.A. effective from 1-4-1972.— 6 %

[*H.P. Govt., F.D., O.M. No. 3-64/68-Fin (Bud)-II, dated the 30th November, 1971*]

(4) Rate of interest on H.B.A. effective from 1-4-1974.— 7 %

[*H.P. Govt, F.D., O.M. No. 5-22/73-Fin (W&M), dated the 16th November, 1974, O.M. No. 5-1/75-Fin (W&M), dated the 4th June, 1976 and O.M. No. 5-1/75-Fin (B), dated the 23rd September, 1978*]

(5) Rate of interest on H.B.A. from 1-4-1984 (applicable only to cases where recovery of interest commenced before 17-6-1986) .— (a) It has now been decided that the rates of interest chargeable on loans shall be as under with effect from the beginning of the current financial year, i.e. 1-4-1984 :-

House building advance

For the first Rs. 25,000	7 % per annum
For the next Rs. 25,000	8.5 % per annum
For the next Rs. 25,000	10.5 % per annum
For the next Rs. 50,000	12 % per annum

[H.P. Govt., F.D., O.M. No. Fin-2-C (17) 19/84 - W&M, dated the 6th September, 1984]

(b) The rates of interest on Government loans were revised w.e.f. 1-4-1984 *vide* O.M. No. Fin. 2-C (17) 19/84- W&M, dated 6th September, 1984. Clarification has been sought by a number of Departments whether revised rates of interest are available or not in those cases where the loans were sanctioned and were wholly or partly drawn earlier to 1-4-1984. In this connection, your attention is invited to Rule 10.15 of H.P.F.R., Vol. I, which provides as under:--

> "If, in any particular case, an advance is drawn in more than one instalment, the rate of interest recoverable should be determined with reference to the date on which the first instalment is drawn,"

In view of the above provision of rules, the rate of interest, in those cases, where the first or subsequent instalments of the loan, if the sanctioned loan was to be drawn in more than one instalment (as in the case of house building loan), was drawn before 1.4.1984, would be the same as was applicable when the first instalment was drawn.

In the case of house building advance, different rates of interest, effective from 1.4.1984, have been prescribed on a sliding scale, as under:--

For the first Rs. 25.000/-	7 % per annum
For the next Rs. 25,000/-	8.5 % per annum
For the next Rs. 25,000/-	10.5 % per annum
For the next Rs. 50,000/-	12 % per annum

It is clarified that in the process of recovery, the portion of loan carrying the higher rate of interest will be treated as having been refunded first.

The amount of maximum House Building Loan in certain cases has been fixed at Rs. 1.50 lakhs, *vide* F.D., O.M. No. Fin(C)-A(3)-3/81-II, dated 12th November, 1984. It is clarified that the rate of interest on loan beyond Rs. 1.25 lakhs will also carry interest of 12 % per annum. Thus the interest on House Building Advances effective from 1.4.1984, will be as under:--

For the first Rs. 25.000/-	7 % per annum
For the next Rs. 25,000/-	8.5 % per annum
For the next Rs. 25.000/-	10.5 % per annum
For the next Rs. 75.000/-	12 % per annum

It has been noted that the rate of interest to be charged on loan is not being mentioned in the sanction letters. It should invariably be done.

[H.P. Govt., F.D., O.M. No. Fin-2-C (17) 19/84-W&M, dated the 14th February, 1985]

(6) Revised rate of interest on H.B.A. from 1-4-1984 (applicable to cases where recovery of interest commenced on or after 17-6-1986).— The House Building Advance granted to the State Government employees carried a slab rate of interest from 7 % per annum to 12 % as prescribed at item No.2 (a) of thus department's O.M. No. Fin. 2C (17) 19/84-W&M, dated 6th September 1984. It has, however, been found that the slab rates of interest involve considerable and complicated work in the calculation of interest. In order to simplify the procedure for calculating the interest by the various authorities and also to facilitate checking of the correctness of the amount of interest by the loanee employees themselves, it has been decided to adopt uniform rates of interest in place of slab rates of interest contained in item No.2 (a) of this Department's Office Memorandum No. Fin.2, C(17)19/84-W&M, dated 6th September, 1984. The revised rates of interest on the House Building Advance will be as follows:–

1)	If the sanctioned amount of H.B.A. is upto Rs. 25,000/-	7 %	P.A.
2)	If the sanctioned amount of H.B.A. is upto Rs. 50,000/-	7.5 %	P.A.
3)	If the sanctioned amount of H.B.A. is upto Rs. 75,000/-	8 %	P.A.
4)	If the sanctioned amount of H.B.A. is upto Rs. 1.00 lakh	8.5 %	P.A.
5)	If the sanctioned amount of H.B.A. is upto Rs. 1.25 lacs	9 %	P.A.
6)	If the sanctioned amount of H.B.A. is upto Rs. 1.50 lacs	9.5 %	P.A.

The above rates of interest will come into force with immediate effect. The rates will also be applicable to the past cases of House Building Advance sanctioned from 1-4-1984 where recovery of interest has not yet commenced.

[H.P. Govt., F.D., O.M. Fin. 2-C(11) 20/85, dated the 17th June, 1986)

(7) Rate of interest on H.B.A. above Rs. 1.50 lakhs effective from 1-4-1987.— The Governor, Himachal Pradesh is further pleased to fix the rate of interest of House Building Advance above Rs. 1.50 lacs as under:–

(a)	House Building advance sanctioned above Rs. 1.50 lakhs and upto Rs. 2.00 lakhs.	10 %
(b)	House Building advance sanctioned above Rs. 2.00 lakhs and upto Rs. 2.25 lakhs	10.5 %
(c)	House Building advance sanctioned upto Rs. 2.50 lakhs.	11 %

In respect of House Building Advance upto Rs. 1.50 lakhs the existing rates of interest will continue. The above orders will take effect from 1-4-1987.

[Para 3 of H.P. Govt., F.D., O.M. No. Fin. (C)-A(3)-3/81-II, dated the 27th August, 1987]

(8) Rate of interest on H.B.A. from 1-4-1991.— The undersigned is directed to say that the existing rates of interest on House Building Advance to Government servants as prescribed in this Department Office Memo. No. Fin-2-C(II) 20/85 dated 17-6-1986 and Fin(C)A(3)-3/81-II dated 27-8-1987 have been reviewed by the State Government and after taking into account all relevant factors, it has been decided to revise the existing rates of interest on House Building Advance as under:–

Sanctioned advance up to	*Revised rate of interes*
Rs. 50,000/-	7.5 %
Rs. 1 lakh.	9 %
Rs. 1.50 lakhs	10 %
Rs. 2 lakhs	11 %
Rs. 2.25 lakhs	11.5 %
Rs. 2.50 lakhs	12 %

2. The revised rates of interest will be effective from date of issue of this order.

3. It has also been decided that in cases where the repayment of loans and advances is not made according to the terms and conditions, the penal interest at the rate of 3 % per annum will be charged over and above the normal rate of interest mentioned in the above Office Memorandum.

[H.P. Govt., F.D., O.M. No. Fin-2-C(11)3/87, dated the 1st April, 1991]

(9) Concessional rate of interest on house building advances for promoting small family norm.— (a) I am directed to say that the Government have decided that the rate of interest on house building advances to such Government servants who volunteer for sterilization will be half per cent less than the normal rate of interest subject to the following conditions:–

1. Only employees, who do not have more than three children and undergo sterilisation themselves will be entitled for the rebate.

2. The employees must be within the reproductive age group. In the case of a male Govt. servants this would mean that he should not be over 50 years and his wife should be between 20 to 45 years of age. In the case of a female Govt. servant, she must not be above 45 years and her husband must not be above 50 years of age.

3. The sterilisation operation must be conducted and the sterilisation certificate must be issued by a Central Government hospital or under the auspices of the C.G.H.S. by a State Government Hospital or an institution recognised by the Central/State Govt, for this purpose.

4. The sterilisation operation must be undergone by employee himself/herself.

5. The concession will be admissible only to those Government servants who undergo operation after 1-4-1981.

The above decision of the Government may kindly be brought to the notice of all Government servants for information.

[H.P. Govt., F.D., O.M. No. Fin 2-C (10) 15/79, dated the 29th September, 1981]

(b) इस विभाग के प्त्र संख्या फिन –2–सी (10) 15/79 दिनांक 29 सितम्बर, 1981 के सन्दर्भ में यह कहने का निदेश हुआ है कि सरकार ने उपरोक्त प्त्र के पैरा 1 के नीचे शर्त संख्या 4 में संशोंधन करने का निर्णय लिया है :—

4. The sterilisation operation must be undergone either by the Employee or by the spouse of the Employee.

यह भी निर्णय लिया गया कि उपरोक्त संशोधन ऐसे सभी मामलों में लागू होगा जिनकी भवन निर्माण ब्याज की कटौती के मामले आदेश जारी होने कि तिथि के बाद निपटाये जाने है तथा पूर्व निर्णित अथवा जिन मामलो में ब्याज की कटौती हो चुकी है उन्हें पुनः नहीं खोला जाएगा।

[H.P. Govt., F.D., letter No. Fin-2-C (10)-15/79, dated the 27th March, 1992]

(10) Rate of interest on Conveyance Advances from 1-4-1972.— (i) Advances for purchase of motor conveyance = 6.5 %; (ii) Advance for purchase of other conveyance = 6.5 %.

[H.P. Govt., F.D., O.M. No. 3-64/68-Fin (Bud)-II, dated the 30th November, 1971]

(11) Rate of interest on Conveyance Advances from 1-4-1974.— (i) Advance for purchase of motor conveyance = 7 %; (ii) Advance for purchase of other conveyance = 7 %.

[H.P. Govt., F.D., O.M. No. 5-22/73-Fin (W&M), dated the 16th November 1974 and O.M. No 5-1/75-Fin (W&M), dated the 4th June, 1976]

(12) Rate of interest on Conveyance Advances from 1-4-1978.— (i) मोटर कारें खरीदने के लिये अग्रिम = 8 % (ii) स्कूटर तथा अन्य वाहन खरीदने के लिये अग्रिम = 7 %

[H.P. Govt., F.D., O.M. No. 5-1/75-Fin(B), dated the 23rd September, 1978]

(13) Rate of interest on Conveyance Advances from 1-4-1984.— (i) Advance for purchase of car = 10 %; Advance for purchase of Motor Cycle/Scooter/Cycle = 9.5 %.

[H.P. Govt., F.D., O.M. No. Fin-2-C(17)-19/84 (W&M), dated the 6th September, 1984 and O.M. of even number dated the 25th May, 1985]

(20) Rate of interest on Warm Clothing Advance from 1-4-1976.— 6.5 %

[H.P. Govt., F.D., O.M. No. 5-1/75-Fin (W&M), dated the 4th June, 1976 and O.M. No. 5-1/75-Fin (B), dated the 23rd September, 1978]

(21) Rate of interest on Warm Clothing Advance from 1-4-1984.— 9 %

[H.P. Govt., F.D., O.M. No. Fin. 2-C(17)19/84 (W&M), dated the 6th September, 1984]

(22) Rate of penal interest effective from 1st April, 1976.— (a) In continuation of this Department Office Memorandum of even number dated the 4th June, 1976 regarding the revision of rates of interest applicable on various loans and advances by the State Government with effect from 1st April, 1976, it has been decided that in cases where the repayment of loans and advances is not made according to the terms and conditions the penal interest at the rate of 3 % per annum will be charged over and above the normal rate of interest mentioned in the above Office Memorandum.

[H.P. Govt., F.D., O.M. No. 5-1/75-Fin (W&M), dated the 4th June, 1976]

(b) With reference to your letter No. Deposit/MCA/Imp-Rules/1983, dated the 16th October, 1985 on the subject cited above, I am directed to say that in case of default in payment of any instalment either of principal amount or of interest, penal interest is to be charged in addition to normal rate of interest. The Finance Department's O.M. No. 5-1/75 Fin (W&M), dated the 4th June, 1976 remained operative even after issue of Finance Department's O.M. No. 5-1/75 Fin(B) dated 23-9-1978.

[H.P. Govt., F.D., letter No. Fin 2 C(11) 20/85, dated the 25th November, 1985 to the Accountant General, H.P.)

(c) I am directed to refer to your letter No. Dep/Interest/Imp. Rates/3423, dated 25-3-86, on the subject cited above and to say that the orders revising the rates of interest were issued *vide* F.D.'s letter No. 5-1/75-Fin. (W&M), dated 4-6-76 and the same were made applicable w.e.f. 1-4-1976. Similarly the orders fixing the penal interest though issued on 4th June, 1976 *vide* F.D.'s letter No. 5-1/75-Fin. (W&M), were deemed to be effective from 1-4-1976. The two orders are linked, and are in fact one and should be read as such.

Therefore, it is clarified that the penal interest @ Rs. 3 % would be chargeable in respect of all loans that become due for repayment on or after 1-4-1976 in the event of default. The penal interest in the event of default of repayment of loans and advances according to the terms and conditions, will become payable by the loanee automatically and no specific sanction for charging penal interest need be issued in individual cases by the department(s).

[H.P. Govt., F.D., O.M. No. Fin. 2C(11) 20/85, dated the 28th August, 1986 addressed to the Accountant General, H.P. and copy endorsed to all Heads of Deptt. etc.]

(23) Proforma for maintenance of account of petty loans and advances to Government servants and agriculturists, etc.— (a) I am directed to invite you attention to this

3. मोटर कार खरीदने के लिए अग्रिम	14 प्रतिशत

[H.P. Govt., F.D., O.M. No. Fin-2-C(11) 3/87, dated the 28th October, 1992]

(17) Rate of interest on Conveyance Advances from 1-4-1993.— *(a)* अधोहस्ताक्षरी को इस विभाग के कार्यालय ज्ञापन समसंख्या दिनांक 28–10–92 के संदर्भ में यह कहने का निदेश हुआ है कि वर्ष 1993–94 आर्थात 1–4–93 से 31–3–94 तक सरकारी कर्मचारियों को वाहन खरीदने हेतु दिए गए अग्रीम पर निम्न ब्याज दरें लागू होगी :–

	वार्षिक ब्याज दरे
1. साईकिल खरीदने हेतु आग्रिम	9 प्रतिशत
2. मोटर कार को छोड़ कर अर्थात स्कूटर एंव मोटर साईकल आदि	11.5 प्रतिशत
3. मोटर कार खरीदने के लिए अग्रिम	15 प्रतिशत

[H.P. Govt., F.D; O.M. No. Fin-2-C(11) 3/87, dated the 17th July, 1993]

(b) With reference to this Department O.M. of even number dated the 17th July, 1993, the undersigned is directed to state that the rate of interest for advances sanctioned to Government servants for purchase of conveyances during 1994-95 and 1995-96 will continue to be at the same level as for 1993-94 as under:–

	Rate of interest per annum.
i) Advances for purchase of Bicycle	9 %
ii) Advance for purchase of conveyance other than motor car (viz. Motor Cycle, Scooter etc.)	11.5 %
iii) Advance for purchase of Motor Car	15 %

[H.P. Govt., F.D; O.M. No. Fin-2-C(11) 3/87-II, dated the 8th August, 1995]

(18) Rate of interest on Warm Clothing Advance from 1-4-1972.— 5.5 %

[H.P. Govt. F.D., O.M. No. 3-64/68 Fin (Bud)-II, dated the 30th November, 1971]

(19) Rate of interest on Warm Clothing Advance from 1-4-1974.— 6 %

[H.P. Govt., F.D., O.M. No. 5-22/73-Fin (W&M), dated the 16th November, 1974]

(b) I am directed to invite your attention to this Department letter of even number, dated 7th January, 1976 and subsequent reminders thereto, on the above subject, wherein you were requested to maintain the accounts of petty loans and advances to Government servants and agriculturists etc., and to ensure the timely reconciliation of the accounts with Accountant General, Himachal Pradesh. But it has been noticed that inspite of repeated instructions issued from time to time and nomination of controlling officer by the departments to expedite this work, the reconciliation of these accounts is still in arrears. The delay in some case has been attributed to the fact that some heads/sub-heads of accounts (both receipts and expenditure) are operated by more than one Department as shown against these heads of accounts in the enclosed statement and the reconciliation work is required to be carried out by the Departments concerned jointly with the Audit Office. The failure on the part of some Departments concerned to participate in the joint exercise of reconciliation work has caused delay in the completion of the work. The matter was discussed in a meeting on 26th October, 1982 with the representatives of departments concerned and the audit office. After consideration it has been decided to declare some departments to act as nodal departments in order to coordinate/expedite the reconciliation work in consultation with the departments concerned in respect of each head/sub-head of account as shown against each in the enclosed statement. The Departments which will act as nodal departments have been shown in the statement. It will be the responsibility of the nodal department to ensure timely reconciliation of the accounts with the audit office in consultation with the other concerned departments. Each nodal department should nominate an officer who will be personally responsible for the work of reconciliation and convey their views to the Finance Department. In case of default on the part of the concerned department to cooperate in the reconciliation work, the matter be reported to the Finance Department by the nodal departments. The progress of reconciliation will be reviewed in a meeting to be presided over by the Chief Secretary in the month of February, 1983 which will be attended by the concerned Heads of Departments and nodal officers.

Kindly acknowledge the receipt.

[H.P. Govt., F.D., letter No. Fin. 3-4/73 W&M-III, dated the 4th January, 1983]

[1]*STATEMENT*

S.No.	Head of Account	Name of the Departments operating the head of account	Name of Nodal Deptt. declared by the Finance Department
1	2	3	4
1.	766-Loans to Government Servants.	Divisional Commissioner Kangra/Shimla.	Divisional Commissioner, Shimla (already declared by the Revenue Department).
2.	- do -	Agriculture, Horticulture, Animal Husbandry & Coop. Departments.	Cooperative Department.

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[1] See revised classification effective from 1-4-1987 for revised Heads of Accounts.

department letter of even number, dated 26-3-1974 on the subject cited above, and to state that it has now been decided by the Government that the accounts of petty loans and advances, sanctioned in favour of the Government servants by the drawing and disbursing officers/Departments will be maintained by the departments concerned with effect from 1st April, 1976. A specimen copy of the proforma in which the detailed accounts of such short term loans and advances are to be maintained is enclosed for your information and necessary action.

You may please send your requirements of the registers and broadsheets of advances for the maintenance of accounts to the Himachal Pradesh Government Press who will fully meet with your requirements on demand. In case there is any difficulty in the maintenance of the accounts of petty loans and advances, necessary guidance in that behalf may kindly be had from the Audit Office by deputing an official to that office.

[H.P. Govt., F.D., letter No. 3-4/73 Fin. W&M, dated the 7th January, 1976]

[*See* Para 449 M.S.O. (T)]

Other Conveyance
Register and Boardsheet of Advance for *Motor Car* *and of Interest thereon for*
House Building

the year 19 19

Sr. No.	Name of Govt. servant	No. & date and substance of order and the amount sanctioned	Rate of interest/ Monthly rate of recovery	Amount drawn with voucher No. Balance of principal brought forward/Total interest due or brought forward
1	2	3	4	5
		Rs. P.	Rs. P.	Rs. P.

Amount recovered in

April	May	June	July	August	Sept.	Oct.	Nov.	Dec.	Jan.
6	7	8	9	10	11	12	13	14	15
Rs. P.	Rs. P.	Rs. P	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.

Feb.	March	March Final	Total recoveries during the year	Balance of principal/ interest at the end of the year carried forward	Remarks
16	17	18	19	20	21
Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	

CHAPTER XI

Remittances through Telegraphic Transfers, Bank Drafts and Government Drafts

1 - INTRODUCTORY

(i) General

11.1. The Reserve Bank of India, with the concurrence of the Union Government and the various State Governments, has agreed to provide remittance facilities throughout India to the public in general, scheduled and non-scheduled banks, indigenous banks and co-operative banks and societies and other approved banks and also to Government servants on Government account.

The detailed scheme is embodied in the memorandum issued by the Reserve Bank of India regarding the New Scheme of Remittance Facilities in India which *inter alia* lays down the different types of drawings, the rates of exchange to be charged on various kinds of remittances and the limits of drawings. Extracts from this memorandum in so far as they affect the treasuries and the public servants have been given in Annexure A to this Chapter.

11.2. The person or office that draws (i.e., issue or grants) a draft is called the Drawer; the person or office on which it is drawn (and by which it is payable) is called the Drawee; the person or party to whom a draft is granted is called the Remitter; the person or party to whom it is payable is the Payee.

Remittances between places where the Reserve Bank has its own offices or is represented by its agencies or both

11.3. (1) Drawings by offices of the Reserve Bank and offices and branches of the State Bank of India on offices and branches of these banks are regulated entirely by the instructions contained in the memorandum referred to in rule 11.1 which also provides for the accounts procedure to be followed by those offices and branches.

(2) The instructions governing the issue of Government drafts by the offices of the Reserve Bank of India and the offices and branches of the State Bank of India on their own offices and branches have been abstracted in Annexure A to this Chapter.

11.4. At a place where the branch of the State Bank has not full currency chest facilities, or is not conducting Government business, telegraphic transfers, Reserve Bank drafts and Reserve Bank Government drafts drawn on or by an office or agency of the Reserve Bank will be drawn by or on the treasury agency at such place and the State Bank Government drafts (*vide* Annexure A to this Chapter) will not be issued.

1	2	3	4
3.	766-Loans to Government Servants.	Director Health Services, Director Medical Education, Principal Medical College, Director of Ayurveda.	Director of Health Services.
4.	065-Other Admn. Services.	Home Guard, District Gazetter, H.P. Sectt. and H.P. Institute of Public Administration	H.P.Sectt. (Secretariat Administration)
5.	305-Agriculture.	Agriculture, Revenue.	Revenue.
6.	705-Loans for Agriculture.	Agriculture, Revenue, Director of Consolidation of Holdings.	Agriculture.
7.	686-Loans for Social Security and Welfare.	Welfare, Agriculture	Welfare
8.	229 and 029-Land Revenue.	Director Land Records, Settlement Officer Kangra/ Kinnaur/Shimla.	Director, Land Records.
9.	277-Education.	Director Mountaineering Institute Manali, Director Tech. Edu. Sunder Nagar, Director Language, Director of Education.	Director of Education.

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1. See revised classification effective from 1-4-1987 for revised Heads of Accounts.

or negligence of the officials at treasury agencies. Treasury Officers should, therefore, see that the greatest care is taken in dealing with telegraphic transfers and drafts.

II — SPECIAL RULES RELATING TO TELEGRAPHIC TRANSFERS AND BANK DRAFTS

11.8. The following conditions are applicable to telegraphic transfers and bank drafts :-

(1) A person applying for a telegraphic transfer or a draft must pay the amount of such transfer together with the prescribed charges, including the cost of telegram or draft, with a formal application in the prescribed form, which may be obtained from the treasury before the telegraphic transfer or draft is issued. The application form duly filled in will serve as a challan for the money tendered. The Treasury Officer will retain the application for transmission to the Accountant General along with the daily Schedule of Reserve Bank of India Remittances Drawn (rule 11.35). If a receipt for the amount is demanded by the purchaser of a draft or transfer a memorandum showing the amount of the draft or transfer and the exchange charged thereon should be issued to him in the form prescribed by the bank.

(2) All transfers and drafts will be payable in legal tender currency, i.e., notes or rupees at the convenience of the officer making the payment. In other words the payee will have no right to demand payment in any particular form or currency, though in practice his requirements will be met as far as possible.

11.9. Remittances on Government account are ordinarily made by means of Government drafts but in cases of extreme urgency the Reserve Bank have permitted remittances by telegraphic transfer at par within the State on payment of the cost of telegrams. At places where Reserve Bank does not conduct Government business, the State Bank or treasury agencies will arrange for sending these remittances by telegraphic transfer.

Extra State remittances by telegraphic transfer will be charged for at the following rates :-

Up to Rs. 5,000	...	1/16 per cent (minimum Re. 1).
Over Rs. 5,000	...	1/32 per cent (minimum Rs. 3.12).

Note.—At places where the cash business of the treasury is conducted by sub-offices of the State Bank having limited currency chest facilities (i.e., treasury pay offices) Reserve Bank remittances will be drawn by or upon the treasury or sub-treasury at such places acting as treasury agency of the Reserve Bank and not the treasury pay office of the Bank though the cash and clerical work in connection therewith will be transacted by the latter under the orders of the Treasury Officer/Sub-Treasury Officer as the case may be (Paragraphs 1 and 6 of the Annexure to Chapter III).

Remittances between places where a treasury or sub-treasury exists but an office of the Reserve Bank or an office or a branch of the State Bank does not exist at one or both ends

11.5. Transfers of money on behalf of the Reserve Bank from or to a place where there is no office of the Reserve Bank or an office or branch of the State Bank at one or both ends, are effected through telegraphic transfers, bank drafts and Government drafts drawn by and on Government treasuries, as the case may be, in accordance with the instructions contained in the memorandum referred to in rule 11.1 and the rules in this Chapter.

Note 1.—The rules in the succeeding sections of this chapter do not apply to remittances granted to the Union Government (including the Defence Department) which are governed by the rules issued by the Union Government as have been incorporated in the Treasury Rules of that Government.

Note 2.—All treasuries and sub-treasuries in India with currency chest facilities, at places where the Reserve Bank of India is not represented will be regarded as "Treasury Agencies" of the Reserve Bank for the issue and payment of telegraphic transfers and drafts.

Note 3.—A list of the treasuries and sub-treasuries which issue and cash telegraphic transfers and drafts will be found in the separate publication "List of Treasuries and Sub-Treasuries in India" issued by the Union Government. From that list it will be observed that certain treasuries and sub-treasuries at which there are no currency chests have been given restricted powers to issue ad encash drafts. Such treasuries and sub-treasuries should be treated as treasury agencies to the extent noted therein.

11.6. Bank drafts and Government drafts are prepared on forms specially prescribed for the purpose by the Reserve Bank of India. Similarly, forms of schedules and advices, application forms for telegraphic transfers and drafts, etc., are prescribed by the Reserve Bank.

11.7. The Government and not the Reserve Bank will be responsible for any loss in connection with remittance transactions caused by the dishonesty

(ii) "State Bank of India Government Drafts" to be drawn by the State Bank of India on its own offices and branches.

Note 1.—Reserve Bank and State Bank "Government Drafts" will be superscribed "On Government Account only".

Note 2.—Drafts will be marked in the right hand top corner "intra-State" or "extra-State" as the case may be.

Note 3.—See also rule 11.9.

11.12. A Government draft may be issued to a Government servant at par for an intra-State remittance to be made by him in his official capacity in payment of any service rendered to Government or in pursuance of his official duties. Government servants requiring Government drafts on public service will submit with the cash a formal application certifying that the draft is wanted exclusively for *bona fide* public purposes and describing the object of the remittance. *See* also rule 11.8 (1). If the Treasury Officer doubts whether the object is really public, he should state his doubt to the applicant or take the order of the Deputy Commissioner. Questionable grants should be reported to the Currency Officer with a view to the issue of instructions for future guidance.

11.13 Intra-State Government drafts can also be issued at par in the following cases :--

(i)	Public Works and Multipurpose Projects and Power Departments.	To Executive Engineers and to Assistant Engineers whether they have drawing accounts or not, for payments to be made outside their divisions but only on public service and not for private purposes or the convenience of contractors. When purchases are effected, or work is done, by one division on account of another, the adjustment will be made by book transfer.
(ii)	Subscriptions for a public or quasi-public purpose	The Government when desiring to facilitate the collection of subscription for any public or quasi-public purpose in which it is interested, may allow the issue of one Government draft a month, from any district treasury to the local secretary or treasurer of the fund or institution for the purpose of remitting subscriptions to the central body.
(iii)	Wormen's compensation	To a Commissioner for workmen's compensation in favour of another Commissioner for the remittance of money remaining in his hands or invested by him for the benefit of any party to any proceedings pending before him but transferred to another Commissioner in accordance with section 21 (2) of the Workmen's Compensation Act. (VIII) of 1923).

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III — SPECIAL RULES RELATING TO GOVERNMENT DRAFTS

(i) Money limit

11.10. No Government drafts should be granted for less than Rs. 25 save when it is required for a policeman's remittances and the remittance of the surplus of the estates of deceased persons and for payments in connection with securities deposited with the Reserve Bank of India for and on behalf of Government. The limit of the Government drafts obtainable for private purposes is, in all cases but that of a policeman proceeding on leave, the amount of a month's pay and allowances of the remitter.

(ii) Conditions under which issued

11.11. (1) "Reserve Bank of India Government Drafts" will be drawn for transfer to and from places where the Reserve Bank is represented by treasury agencies and will be issued at par or at a premium according as the remittance is intra-State or extra-State (*see* Annexure A to this chapter). Further drafts at par will be issued only under the conditions and in the cases specified in rules 11.12 and 11.13 and in such other cases as the competent authority may decide from time to time.

Note.— The consent of the Finance Department should not be considered as given to the granting of remittance facilities at par in cases other than those specified in the rules mentioned above. Copies of orders of the Finance Department sanctioning new remittance facilities at par will invariably be endorsed to the Reserve Bank.

(2) "Government Drafts" are also drawn by the offices of the Reserve Bank of India and offices and branches of the State Bank of India on their own offices and branches as given in the Annexure to this chapter. The drafts will be issued at par or at a premium in the cases and on the conditions specified in clause I above.

(3) Government drafts are issued in two forms :--

(i) "Reserve Bank of India Government Drafts" to be drawn :—

(a) by and on treasuries where the Reserve Bank is represented by treasury agencies, and

(b) by the Reserve Bank on its own offices and on branches of the State Bank of India.

(viii)	Payments of passages of civil officers	The Accountant General, for the payment of passage booked by Shipping Co., and agents.
(ix)	General public	At treasury agencies for remittance to the office of the Reserve Bank of India at Calcutta, Madras or Bombay for purchase of Government Promissory Notes. The minimum amount of a draft in such cases is Rs. 5,000.

Note 1.—In order to ensure that "Government" drafts are used for the purpose for which they are taken, they should be issued payable to the office of the Reserve Bank at Calcutta, Bombay or Madras, and marked "for investment in Government securities."

Note 2.– Intra-State remittances at par will be made by Government drafts; all remittances at a premium e.g., remittance in respect of land revenue cases, Excise, etc. will be made by bank drafts and will be accounted for in the manner given in the Annexure of this Chapter.

11.14. Government drafts can also be issued for extra-State remittances on behalf of the Government and for the purposes specified in rules 11.12 and 11.13 and for such other *quasi*-public purposes as may be determined by the competent authority from time to time. These drafts will be subject to the exchange prescribed by the Reserve Bank.

IV — ISSUE OF DUPLICATES OF DRAFTS

11.15. When satisfactory evidence has been given that a draft has been either lost or destroyed, and an application is made within a reasonable period (say, six months) after issue but before it has lapsed (rule 11.21), a duplicate may, without reference to the Currency Officer, be granted to the party who obtained the original, or to the payee, or to the legal representative of either but to no other person. If the draft should not have been presented for payment within three months, it will be necessary for the applicant to produce a certificate of non-payment from the drawee, but the issue of this certificate will be no bar to the payment of the lost draft, if presented before the duplicate is paid. The duplicate draft should not be issued unless the issuing officer has satisfied himself by reference to the office drawn upon that the original has not been paid. A duplicate issued in lieu of the lost one should be revalidated by the drawing officer if the period of currency of the local draft has expired. The duplicate must be drawn in exactly the same lines as the original instrument with the same date, the same number, the same amount and the name of the same payee. In the case of Reserve Bank Government drafts the duplicate may be issued to the party who obtained the original or to the payee or the legal representative of either, but to no other person on their providing satisfactory evidence that the original bill has been either lost or mislaid. If a lost Government draft has been endorsed to the payees bankers, the endorsee must apply for a duplicate through the original payee as required by rule 11.17, *infra.*

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(iv) Pay and allowances.	The remittance of pay and allowances is not ordinarily a *bona fide* public purpose, but a Government draft may be granted for the remittances of the pay and allowances of a Government servant deputed beyond the limits of the district in which his pay has to be drawn. Government servants of the Public Works and Multipurpose Project and Power Departments may, when presenting bills for the pay and travelling allowance of their establishments, obtain Government drafts on other district treasuries for amounts which may have to be disbursed outside the civil district but within their own jurisdiction. Such drafts may, if the Government has so authorised, be made payable even at sub-treasuries under Subsidiary Treasury Rules.
(v) For family remittances in the case of Police Department	To officers and men of the police battalions and police constabulary for remitting money to their families in the form and on the terms provided for sepoy's remittances, the heading of the descriptive roll being altered to suit the case.
(vi) Refunds of electoral deposits	For the remittance of electoral deposits refunded to candidates for the legislative bodies (both Union and State) who are residing in districts which are different from those where the deposits were originally lodged.
(vii) Local Funds.	(i) To local funds mentioned below and to such additional funds as may be determined from time to time by the competent authority after consultation with the Reserve Bank subject to the condition that the remittances are for *bona fide* public purposes – (1) District funds including district and local boards funds. (2) Police funds. (3) Chowkidari uniform fund. (ii) To local boards for investment of their surplus funds in an office of the Reserve Bank of India or a branch of State Bank of India or in any co-operative bank authorised by the Government for this purpose. (iii) To co-operative banks in which the surplus funds of the local boards have been invested for remittances of interest or investments realized for payment to the local boards or municipalities.
	To municipalities and school boards for remittance of their surplus funds for investment in any cooperative bank

V — CANCELLATION OF DRAFTS

11.18. No draft can be cancelled without surrender of the whole set. Thus, if a duplicate or a triplicate has been issued, the draft can be cancelled only if the original together with the duplicate (and the triplicate if issued) be surrendered. Consequently no refund can be made on a lost draft, a duplicate must be obtained and payment taken at the treasury or office drawn on. Although no difficulty should be made about cancellation of Government draft it must be clearly understood that other classes of drafts can be cancelled only as an indulgence, and for sufficient cause shown. For the cancellation of policemen's drafts *see* rule 11.22.

Note 1.—For the procedure regarding the refund on cancellation of the drafts *see* Subsidiary Treasury Rules.

Note 2.—If alteration of the name only of the payee is required by the remitter, it will suffice for the drawer to alter the name in the draft under his full signature and to advise the drawee.

VI — EXCHANGE OF DRAFTS

11.19. (a) A Treasury Office may issue a draft in exchange for one drawn on him :--

(i) if on Government account, only if the payee be a Government servant and requires the draft to be exchanged for reasons to be stated in his application;

(ii) in other cases only if the holder has been removed to the neighbourhood of another treasury or of an office or agency of the bank.

Note.— A draft is said to be exchanged when the holder being unable to appear and take payment in cash, applies for a new one, endorsing the original "Received payment by Government draft on …………".

If he can appear and take payment in cash, his obtaining a new draft with the cash paid on the old one is a matter to be disposed of under ordinary rules.

VII — UNPAID DRAFTS

11.20. Drafts which are outstanding for more than six months can be paid only after obtaining necessary confirmation from the drawing officer.

A duplicate of Reserve Bank "Bank" draft will not be issued to any one other than the person who applied for the original draft. A letter of indemnity in the form given in Annexure B to the chapter should be taken from purchaser of the original draft irrespective of whether the draft reported lost is current or has lapsed. The letter of indemnity should be signed by the purchasers and ordinarily by two sureties each good for the amount of the draft. If the applicant is of undoubted standing and the amount of the draft is small, the production of sureties may be waived, but where the amount incurred is large, sureties may be taken. If the issuing office has any doubt as to the advisability of dispensing with the sureties or as to the acceptability of the names of the purchaser and/or the sureties on the agreement for indemnity he should refer to the currency officer, at the same time forwarding his confidential report on the means and standing of the parties. The letter of indemnity should be stamped as an agreement in accordance with the Stamp Act and should not be altered. The completed letter of indemnity will be retained for record at the issuing office of which the officer in charge will be personally responsible for their custody.

In all cases enumerated above it is not necessary for the treasury agencies to obtain fresh applications in the prescribed forms from the purchaser. A letter intimating the loss of the original draft and requiring the issue of a duplicate one in lieu thereof will be sufficient for the purpose.

11.16. In the event of the loss of both original and duplicate a triplicate may be issued on the same terms as the duplicate, the non-payment of the others being certified. Neither duplicate nor triplicate can be issued without reference to the Currency Officer if the draft has lapsed. Issues of duplicate or triplicate must be promptly advised to the drawee in order that proper note may be made on the advice originally received.

11.17. The duplicates or triplicates should be drawn in exactly the same terms as the original instrument with the same date, the same number, the same amount and the name of the same payee; so that, if a lost draft has been endorsed, the endorsee must apply for the duplicate through the original payee. It will be issued under the signature of the officer in charge of the treasury at the time, although he be not the person who signed the original draft.

Note 1.—No special form is prescribed for duplicate drafts. When it is necessary to issue duplicates the word "Duplicate" should be prominently written in red ink on the face of ordinary drafts forms and the relative advice forms. The duplicate should be issued only after the issuing officer has satisfied himself that the original has not been paid.

Note 2.—For the checks to be applied to the payment of duplicate and triplicate drafts *see* Subsidiary Treasury Rules.

11.25. All transactions connected with the drawings and encashments of telegraphic transfers and drafts should be classified in the treasury accounts in accordance with the directions contained in Accounts Code, Volume II. Exchange charged and collected by treasury agencies at the prescribed rates will be credited to the Reserve Bank through the accounts submitted to the Accountant General.

The provisions of rule 3.13 *supra* apply *mutatis mutandis* to the rule in this section also.

(ii) *Issue of telegraphic transfers and drafts.*

11.26. In issuing telegraphic transfers, the following points should be kept in view by a treasury office:--

(1) The telegram to the officer making payment of the transfer should be sent in the Reserve Bank's cypher code authenticated by the Reserve Bank of India treasury agencies private check signal.

(2) A post copy of the telegram should be despatched to the paying officer at the same time as the telegram is issued.

11.27. Drafts shall be prepared and signed from time to time as they are applied for, immediately on the receipt of cash or its equivalent, the business of signing them must not be postponed till the close of office and on no account may the office be closed till all drafts applied for have been issued. Each draft must be signed legibly with the full signature of the Treasury Officer who should take pains to maintain a uniform signature (*see* rule 11.32).

11.28. It alterations be made in a draft prior to issue, the correction shall be noted in the advice (rule 11.30) and each alteration, both in the draft and advice, shall be authenticated by the drawer's full signature in order to prevent hesitation on the part of drawee. If the drawer should enter the amounts so carelessly as to enable a stranger to alter it, and fraudulently to obtain payment of a large amount, the drawer, and not the drawee, must bear the loss. But the Treasury Officer drawn upon must remember and apply the numerous defensive checks provided for him. *See* also Subsidiary Treasury Rules.

11.29. At the time of signature of a draft, the Register of Reserve Bank of India Remittances drawn, together with the application for the draft, the advice and the book of forms, shall be laid together before the Treasury Officer. The Treasury Officer will initial each entry in the advice and the corresponding entry in the register at the same time as he signs the draft, after he has satisfied himself that—

(a) the several documents agree;

VIII — LAPSE OF DRAFTS

11.21. Drafts which are not paid before the end of the third account year after that in which they are issued shall be treated as lapsed and shall be so marked in the advice. Their payment at the treasury is regulated by Subsidiary Treasury Rules. Should any one apply for payment of lapsed draft, he should be directed to address the Currency Officer for orders.

IX — GOVERNMENT DRAFTS TO POLICEMEN

11.22. In the case of policemen's remittances, the District Superintendent of Police or the Commanding Officers of the Border Police will forward the draft to the payee direct, descriptive rolls of the payee duly filled in and signed, will at the same time be sent to the Treasury Officers concerned.

Note.— There is no objection, if such a course is preferred or is required by departmental rules, to the draft being sent to the Superintendent of Police of the district in which the payee resides, who will deliver it to the payee after satisfying himself as to his identity.

11.23. These drafts, if not presented for payment before the expiration of six months from the date of issue, shall be considered as cancelled, and if they are presented after that period, payment shall be refused. A draft which has thus become uncurrent may be returned by the payee to the drawer for the issue of a fresh draft or for the refund of the amount as may be required.

Should such a draft, whether original or duplicate, be lost in transit, report should be made to the Currency Officer who will decide the case specially on its merits, sanctioning refund to the person indicated if it appears right. When the draft is six months old and, therefore, void, there need be no hesitation in permitting refund on production of a non-payment certificate from the treasury or office on which it was drawn.

X — PROCEDURE AT TREASURIES

(i) Introductory

11.24. The receipts and payment on account of telegraphic transfers and drafts drawn by or encashed at the offices of the Reserve Bank or offices and branches of the State Bank do not pass through Government accounts and the rules in this section are not therefore applicable to those transfers and drafts. The procedure to be observed by Treasury Officers in respect of the issue and payment of telegraphic transfers and drafts on the Reserve Bank account will be governed by the following rules but the Treasury Officer shall comply with any general or special instructions that may be issued to them in this behalf by the Currency Officer.

11.25. All transactions connected with the drawings and encashments of telegraphic transfers and drafts should be classified in the treasury accounts in accordance with the directions contained in Accounts Code, Volume II. Exchange charged and collected by treasury agencies at the prescribed rates will be credited to the Reserve Bank through the accounts submitted to the Accountant General.

The provisions of rule 3.13 *supra* apply *mutatis mutandis* to the rule in this section also.

(ii) *Issue of telegraphic transfers and drafts.*

11.26. In issuing telegraphic transfers, the following points should be kept in view by a treasury office:--

(1) The telegram to the officer making payment of the transfer should be sent in the Reserve Bank's cypher code authenticated by the Reserve Bank of India treasury agencies private check signal.

(2) A post copy of the telegram should be despatched to the paying officer at the same time as the telegram is issued.

11.27. Drafts shall be prepared and signed from time to time as they are applied for, immediately on the receipt of cash or its equivalent, the business of signing them must not be postponed till the close of office and on no account may the office be closed till all drafts applied for have been issued. Each draft must be signed legibly with the full signature of the Treasury Officer who should take pains to maintain a uniform signature (*see* rule 11.32).

11.28. It alterations be made in a draft prior to issue, the correction shall be noted in the advice (rule 11.30) and each alteration, both in the draft and advice, shall be authenticated by the drawer's full signature in order to prevent hesitation on the part of drawee. If the drawer should enter the amounts so carelessly as to enable a stranger to alter it, and fraudulently to obtain payment of a large amount, the drawer, and not the drawee, must bear the loss. But the Treasury Officer drawn upon must remember and apply the numerous defensive checks provided for him. *See* also Subsidiary Treasury Rules.

11.29. At the time of signature of a draft, the Register of Reserve Bank of India Remittances drawn, together with the application for the draft, the advice and the book of forms, shall be laid together before the Treasury Officer. The Treasury Officer will initial each entry in the advice and the corresponding entry in the register at the same time as he signs the draft, after he has satisfied himself that—

(a) the several documents agree;

(b) the authority for issue is sufficient;

(c) the date and office of issue and the name of the payee are legibly and distinctly entered in the body of the draft;

(d) in addition to the amount being entered in figures the amount of whole rupee is entered a second time in words and the fraction of rupees in words or figures; that the words are written continuously without lifting the pen and that when the amount consists of rupees only and does not contain fraction of a rupee, the words end with the words "only";

(e) a sum a little in excess of that for which the draft is granted, is entered in words across the draft at right angles to the type.

Note 1.—"Under thirty rupees" will mean that the draft is for a sum not less than Rs. 20 but less than Rs. 30 and similarly "under eight hundred rupees" will mean that it is for less than Rs. 800 but not less than Rs. 700.

Note 2.— The cross entry is not necessary if the amount in words is typed perforated by a special cheque writing machine.

(iii) Advice of Remittances drawn

11.30. An advice of telegraphic transfers and drafts drawn on a particular treasury or the bank on any particular date shall be prepared in the form prescribed by the Reserve Bank. The advices must be completed, signed and despatched by the Treasury Officer to the treasury or bank drawn on without fail before the treasury closes on the day of issue in accordance with the directions given in the Account Code, Volume II. Advices of drafts drawn on the bank shall be sent direct to the Manager or Agent, as the case may be, of the bank.

Note.— In the case of two or more sheets being required to advise issue of telegraphic transfers and drafts, Treasury Officers should sign each sheet of the advice and not only the first sheet.

11.31. Issue of duplicates or triplicates should be promptly advised to the drawee in order that a proper note may be made on the advice originally sent to him.

11.32. Variation in the signature of the drawer often entails much trouble on the paying office and the drawer will be held responsible for any inconvenience or delay which may be caused to individuals in consequence of change in, or illegibility of, his signature or other serious irregularity on the face of the draft, as the drawee would be justified in suspending payment in cases of doubt arising from such causes.

11.33. When any change of Treasury Officer occurs, a specimen of the signature of the relieving officer shall be forwarded by the outgoing Government servant to all treasuries and the offices or agencies of the bank usually drawn on. The following form will be convenient :–

"The undersigned begs to notify to................that he has on this day been relieved of the executive charge of the treasury at................by........., a specimen of whose signature is annexed..............

Relieved Officer

Dated.............................Relieving Officer."

Note 1.—If it should be necessary for a Treasury Officer to draw on a treasury or an office not usually drawn upon, to which a specimen of his signature has not been sent under the provisions of this rule, he should at the time of issue of a draft, also forward a specimen of his signature under a special forwarding letter duly stamped with the seal of the treasury which should be posted in a separate cover and not in the cover containing the advice.

Note 2.—When a Government servant who was formerly in charge of a treasury resumes charge of it after a lapse of time, his signature need not again be circulated among the treasury and other offices.

11.34. The instructions in rule 11.33 are intended to apply to all cases in which a Government servant performs the functions of a Treasury Officer and signes drafts drawn on other treasuries etc., whether there is a formal transfer of charge of the treasury or not. In cases of temporary transfer of charge, the specimen signature of the *locum tenens* should be furnished by the Deputy Commissioner or other officer in charge of the district, to those treasuries, etc., only on which drafts are actually drawn by the temporary holder during his incumbency of the treasury office

(v) Register and Schedules of Drawings

11.35. Transfers and drafts drawn each day should be recorded in the "Register of Reserve Bank of India Remittances Drawn" and listed in the schedule prescribed by the Reserve Bank. The register should be written up and the schedules prepared, checked and submitted to the Accountant General the same day in accordance with the directions contained in Account Code, Volume II. Among other checks it should be seen that the number of forms issued agrees with the number of items in the schedule.

(vi) Register and Schedules of Encashments

11.36. Transfers and drafts encashed (*vide* Subsidiary Treasury Rules) should be recorded in the "Register of Reserve Bank of India Remittances Encashed" and listed in the schedule prescribed by the Reserve Bank for submission to the Accountant General. The Register and the schedule should be written up and prepared in accordance with the directions contained in Account Code, Volume II.

11.37. The following are the cross checks which the Treasury Officer shall each evening apply to the several documents connected with the remittances drawn and encashed. The registers of remittances drawn and encashed and the connected schedules check one another directly; the total of each schedule must agree with total receipts or total payments for the day as booked under the head "Reserve Bank of India Remittances" in the cash book, after allowing for receipts and payments if any, at sub-treasuries which will be entered under a separate sub-head. The total of the several advices for the day must also agree with the total in the column "Amount" in the schedule of drawings, and this agreement shall be at times checked by the Treasury Officer himself.

(vii) Drafts concelled

11.38. When a draft is cancelled, as provided in rule 11.18, the fact of cancellation must be conspicuously noted across the face of the draft at the same time an intimation shall be sent to the office drawn on, in order that the fact may be recorded in the advice originally received and necessary precautions taken against payment of the cancelled draft. The cancelled draft shall be duly receipted by the remitter or the payee, as the case may be.

Note :— The amount refunded will be entered in the "Register of Reserve Bank of India Remittances Encashed" and also in the proper columns of the schedule of such encashments for the day on which the cancellation takes place in accordance with the directions contained in this behalf in the Account Code, Volume. II.

(vii) Drafts exchanged and lapsed

11.39. When a draft is exchanged for another, the original should be treated and entered as a draft presented for payment, and the amount again credited as received for the issue of a new draft.

Lapsed drafts (rule 11.21) should be marked as lapsed in the column "date of payment" of the advice.

(ix) Supply of Forms

11.40. Forms of drafts and all other forms prescribed by the Reserve Bank for use in connection with the remittances will be supplied free of charge to the treasuries by the Currency Officer under whose jursidiction these are situated. Indents for such supplies will be in H.P.F.R. Form 22 or in such other forms as the Reserve Bank may prescribe and will ordinarily be for 12 months supply. They should be submitted on or before 15th November each year for supplies required during the ensuing financial year.

The indents should be carefully prepared and should be so framed as to prevent the need for supplementary indents which will not usually be complied with without an explanation being furnished.

11.41. Immediately on receipt of a parcel of forms of drafts, they must be carefully examined and counted by the Treasury Officer and a proper acknowledgement sent to the Currency Officer. They are made up in books of specific number, and bear a printed number in a general series. The series of numbers in each book should be checked, and the books themselves compared with the particulars given in the invoice. The acknowledgement must certify that the forms have been counted and found correct.

11.42. The forms of drafts and of advices shall be placed in store under the key of the Treasury Officer, who should each morning issue the book or books containing drafts forms and the advice forms for the day's use. He must be careful not to issue a book of a later series number before an earlier, and therefore should see that the store is so arranged as to prevent mistakes. Every evening the unused forms will be returned to him and he should see that this series is unbroken; that no form is kept back unissued unless it be spoilt; and that the number of drafts forms expended in the day agrees with the total number listed in the Schedule of Reserve Bank of India Remittances, Drawn for the day.

11.43. Spoilt forms shall be destroyed by the Treasury Officer after noting in the remarks column of the "Register of Reserve Bank of India Remittances Drawn" under his full signature the printed numbers of the forms destroyed and certifying that the forms have been cancelled and destroyed.

(x) Periodical Returns

11.44. In order to enable the Reserve Bank of India to review the rates of exchange, Treasury Officers shall furnish the Currency Officer with statistics regarding the various forms of remittances at the district treasuries and sub-treasuries under them. These statistics will be supplied every half year along with the cash reports for the months of March and September in the form prescribed by the bank.

ANNEEXURE A

*RESERVE BANK OF INDIA REMITTANCE FACILITIES SCHEME, 1975

[*See* rule 11.1]

An integrated Remittance Facilities Scheme was formulated by the Reserve Bank of India and brought into force with effect from the 1st of October 1940, with a view to facilitating the transfer of funds between different centres in the country expeditiously and at the minimum cost, without incurring the expenditure involved in carrying treasure physically from place to place. The Scheme has been extended and liberalised from time to time since then and is operative between centres where the Bank has its offices or branches or has established currency chests of its Issue Department managed by its agencies or by treasuries and sub-treasuries. Certain branches of the agency banks, which have not been provided with currency chests also issue and encash remittances under special arrangements under the Scheme. Details of the remittance facilities under the Scheme as further liberalised with effect from the 1st of August 1975 are set out in this booklet.

2. For the purposes of this Scheme—

Definitions:

(a) 'the Bank' means the Reserve Bank of India.

(b) 'agency' means State Bank of India or any other bank to which the custody of a currency chest of the Issue Department has been entrusted at any centre by the Reserve Bank.

(c) 'agency office' means the office or branch of the State Bank of India, State Bank of Bikaner & Jaipur, State Bank of Hyderabad, State Bank of Indore, State Bank of Mysore, State Bank of Patiala, State Bank of Saurashtre and State Bank of Travancore or any other agency bank, where telegraphic transfers, mail transfers, drafts or other instruments can be issued or paid under the Scheme.

(d) 'treasury agency' means a treasury or a sub treasury in India, which has a permanent currency chest, at a place where the Reserve Bank has no office or branch or any other agency.

(e) 'scheduled bank' means a bank included in the Second Schedule to the Reserve Bank of India Act, 1934.

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* The R.B.I. scheme of remittance facilities as contained in Annexure A to Chapter XI in the H.P. Government edition (1971) of H.P. Financial Rules, Vol. I has since been replaced by the Reserve Bank of India with its "Remittance Facilities Scheme, 1975". In view of this, in place of the material contained in the H.P. Government edition of 1971, the booklet "Remittance Facilities Scheme, 1975" issued by the R.B.I has been reproduced in Annexure A to Chapter XI in this edition.—*Compiler*

(f) 'state co-operative bank' means the principal society in a State, which is registered or deemed to be registered under the Co-operative Societies Act, 1912 or any other law relating to co-operative societies which is for the time being in force in the State and the primary object of which is the financing of the other societies in the State which are or deemed to be so registered.

(g) 'non-scheduled bank' means a bank which is not included in the Second Schedule to the Reserve Bank of India Act, 1934, being a company or society transacting the business of banking in India as defined in Section 5 (b) and governed by some or all of the provisions of the Banking Regulations Act, 1949.

(h) 'local fund' means any fund, which under the provisions of any law which is for time being in force is under the control of a State Government or the Central Government, whether in regard to all matters generally or some specified matters or any other fund, which may be notified by the State or Central Government as such.

(i) 'Currency Officer' means the officer holding executive charge of a branch of the Issue Department of the Reserve Bank.

3. *Banks and Offices through which remittances can be issued or paid.*— At list of the agency banks as defined in paragraph 2 (b) above through which remittances can be issued or paid will be found in Annexure I. The names of the offices of the banks at which facilities for the remittance of funds under this Scheme are offered can be ascertained by a reference to the banks themselves, but broadly facilities for the issue and payment of remittance under the Scheme will be available at all metropolitan centres and all places at which district and tehsil or taluka offices are located

4. *Modes of remittances.*— The following are the different modes of remittances recognised under the scheme :-

(a) *Telegraphic Transfers*: These are orders issued for the transfer of funds telegraphically between offices of the Bank, agencies and treasury agencies.

(b) *Mail Transfers*: These are orders issued by mail for the transfer of funds between accounts maintained at offices of the Bank and agencies. Mail transfers are not issued by or on treasury agencies.

5. *Parties to whom remittances are available.*— The various parties entitled to remittances under the Scheme and the particulars of remittances available to each of them are given below:

(c) *Drafts:* Reserve Bank drafts are used for remittances between offices of the Bank, agencies and treasury agencies, except when such' drawings are made from one office of an agency on another office of the same agency. Agency bank's drafts are used when drawings are made from one office of an agency bank on another office of same agency bank.

(d) *Central and State Governments:*

The Central and State Governments are entitled to remit funds free of charge throughout India. Drafts on Government account at par will not ordinarily be issued for amounts of less than Rs. 50/-. Remittances on Government account are ordinarily effected by means of drafts, but if so desired by an applicant on behalf of any Government, offices of the Bank, agencies and treasury agencies conducting government business may arrange for remittances by telegraphic transfers at par, the cost of the telegram and its acknowledgement being recovered from the applicant.

(e) *Local Funds:*

Certain local funds are granted free remittance facilities by the Central and State Governments within their respective jurisdictions. A list of such local funds is given in the Treasury Rules/Codes of the respective Governments. Offices of the Bank, agencies and treasury agencies are authorised to effect remittances on behalf of such local funds within the jurisdiction of the concerned State by drafts at par. If so desired, telegraphic transfers at par may also be issued on account of such local funds on payment of the cost of telegram and its acknowledgement. Remittances in respect of specified local funds outside the jurisdiction of the concerned State will be effected by offices of the Bank, agencies and treasury agencies at the following rates.:

Upto Rs. 5,000/- 6p %, minimum Re. 0.25 (for telegraphic transfers minimum Re. 1/-)

Over Rs. 5.000/- 3p %, minimum Rs. 3/-

(c) *Scheduled Banks* : A scheduled bank may remit funds by telegraphic transfers, mail transfers or drafts through offices of the Bank and agencies as detailed below :

		Whether at par or at premium (1)	Limits on amounts (2)	Frequency of remittances (3)	Remarks (4)
1.	Between accounts at Reserve Bank Offices	At par	In multiples of Rs. 10,000/- subject to a minimum of Rs. 50,000/-	No limit	–
2.	i) From an agency office to an account maintained with the Reserve Bank	At par	In multiples of Rs. 5,000/- subject to a minimum of Rs. 25,000/-	Four times a week	Remittances are permitted to each of the scheduled bank offices, branches, sub-offices or pay offices, subject to the conditions specified in the preceding columns
	ii) From any account with the Reserve Bank to an agency office	At par	- do -	Fifteen times a week	–
3.	Other remittances to its account with Reserve Bank from an agency office	At premium -2p% minimum Re. 1/-	No limit	No limit	–
4.	All other remittances favouring : a) themselves or a commercial or a co-operative bank or a co-operative society	Upto Rs. 5,000/- 3p% minimum Re. 1/-* Over Rs. 5,000/- 2p% minimum Rs. 1/50	- do -	- do -	–
	b) Other parties	Upto Rs. 5,000/- 6p% minimum Re. 1/-* Over Rs. 5,000/- 3p% minimum Rs. 3/-	- do -	- do -	–

* Drafts for small amounts at 12p% minimum Re. 0.25

NOTES :
i) 'Week' means the period commencing from a Saturday and ending with the succeeding Friday.
ii) Where remittances are sent by telegraphic transfer, telegram charges are payable in addition to exchange charges.
iii) Remittances under item (4) above can also be made to or from treasury agencies.

(d) *Non-Scheduled Banks* : A non-scheduled bank may remit funds by telegraphic transfers, mail transfers or drafts through offices of the Bank and agencies as detailed below :

		Whether at par or at premium	Limits on amounts	Frequency of remittances	Remarks
		(1)	(2)	(3)	(4)
1.	Between accounts at Reserve Bank Offices	At par	In multiples of Rs. 5,000/- subject to a minimum of Rs. 20,000/-	No limit	–
2.	i) From an agency office to an account maintained with the Reserve Bank	At par	In multiples of Rs. 5,000/- subject to a minimum of Rs. 10,000/-	Four times a week	Remittances are permitted to each of the non-scheduled bank offices, branches, sub-offices or pay offices, subject to the conditions specified in the preceding columns
	ii) From an account with the Reserve Bank to an agency office	At par	In multiples of Rs. 5,000/- subject to a minimum of Rs. 10,000/-	Fifteen times a week	–
3.	Other remittances favouring :				
	a) themselves a co-operative bank or a co-operative society	At premium	Upto Rs. 5,000/- 3p% minimum Re. 1/-*	-	–
			Over Rs. 5,000/- 2p% minimum Rs. 1/50	-	–
	b) Other parties	At premium	Upto Rs. 5,000/- 6p% minimum Re. 1/-*	-	–
			Over Rs. 5,000/- 3p% minimum Rs. 3/-	-	–

- * Drafts for small amounts at 12p% minimum Re. 0.25

NOTES :
i) 'Week' means the period commencing from a Saturday and ending with the succeeding Friday.
ii) Where remittances are sent by telegraphic transfer, telegram charges are payable in addition to exchange charges.
iii) Remittances under item (4) above can also be made to or from treasury agencies.

(e) *State Co-operative Banks* : A State Cooperative bank may remit funds by telegraphic transfers, mail transfers or drafts through offices of the Bank and agencies as detailed below :

		Whether at par or at premium	Limits on amounts	Frequency of remittances	Remarks
		(1)	(2)	(3)	(4)
1.	Between accounts at Reserve Bank Offices	At par	In multiples of Rs.10,000/- subject to a minimum of Rs. 50,000/-	No limit	Remittances are also allowed between accounts of any two state co- operative banks
2.	i) From an agency office				
	a) to an account maintained with Reserve Bank	At par	In multiples of Rs. 5,000/- subject to a minimum of Rs. 25,000/-	Four times a week	Central and industrial co-operative banks are treated as branches of state co-operative banks, to which they are affiliated for the purpose of these facilities.
	b) to the head office account of the state cooperative bank maintained with an Agency office				
	ii) From an account with Reserve bank to an agency office	At par	- do -	Fifteen times a week	A state co-operative bank can make only 15 remittances in all in a week to any of its branches at up-country centres and not 15 remittances to each of its branches
3.	Other remittances to an account which it maintains with Reserve Bank from an agency office	At premium	2p% minimum Re. 1/-	No limit	

(e. *contd.) State Co-operative Banks* : A State Co-operative bank may remit funds by telegraphic transfers, mail transfers or drafts through offices of the Bank and agencies as detailed below :

		Whether at par or at premium	Limits on amounts	Frequency of remittances	Remarks
		(1)	(2)	(3)	(4)
4.	All other remittances favouring :				
	a) themselves	At premium	Upto Rs. 5,000/- 3p% minimum Re. 0.25 Over Rs. 5,000/- 2p% minimum Rs. 1.50	No limit	i) Central and industrial co-operative banks affiliated to a state co-operative bank are treated as branches of the latter. ii) Remittances will be issued to a State co-operative bank or society in its own favour on any centre at the instance of the State co-operative bank irrespective of whether it has an office at that centre or not.
	b) third parties	At premium	Upto Rs. 5,000/- 6p% minimum Re. 0.25 Over Rs. 5,000/- 3p% minimum Rs. 3/-	No limit	

NOTES :

i) State co-operative banks which are scheduled banks will be able to avail themselves of remittance facilities only under this clause and not under clause (c).

ii) 'Week' means the period commencing from a Saturday and ending with the succeeding Friday.

iii) Where remittances are sent by telegraphic transfer, telegram charges are payable in addition to exchange charges.

iv) Remittances under item (4) above can also be made to or from treasury agencies.

v) Co-operative banks/societies which are not affiliated to any State Co-operative Bank are also entitled to remittance facilities as in item (4) above.

(f) *General public and other parties not covered under items (a) to (e) above.*— Members of the general public and other parties may remit funds by drafts and telegraphic transfers through offices of the Bank, agencies and treasury agencies and also by mail transfers between accounts maintained at agencies, as detailed below:

Deleted with effect from 1-3-1986

Upto Rs. 5,000/– 12p %, minimum Re. 0.25 (for telegraphic transfers minimum Re. 1/-)

Over Rs. 5,000/--6p %, minimum Rs. 6/-

Note: Where remittances are sent by telegraphic transfer, telegram charges are payable in addition to exchange charges.

6. *Limits on drawings.*— Offices of the Bank and agencies may issue and encash remittances without any restriction as to amount. Drawings by or on treasury agencies are, however, subject to the following limits for each mode of remittance.

At or on a sub-treasury	Rs. 10,000/- per day*
At or on a district treasury	Rs. 50,000/- per day*

*Except treasuries and sub-treasuries in Assam, Manipur, Meghalaya, Arunachal Pradesh, Mizoram and Nagaland for which the limits will be as under:

At or on a sub-treasury	Rs. 5,000/- per day
At or on a district treasury	Rs. 25,000/- per day

The limits of drawings by or on a sub-treasury or a district treasury shall not be exceeded without the sanction of the Currency Officer.

7. *Issue of telegraphic transfers, mail transfers and drafts.*— A person requiring or applying for a telegraphic transfer or a mail transfer or a draft shall complete an application in the form set out in Annexure II or as near thereto as possible. Copies of this form may be obtained from the office of the Bank, agency or treasury agency to whom the application is to be made. The amount of the remittance together with prescribed charges, including the cost of telegram must be tendered with the application.

Note: Since mail transfers are issued for transfer of funds between accounts maintained at the offices of the Bank and agencies, they will not be issued by or on treasury agencies. Applications for a mail transfer shall be signed by a person or persons authorised to operate on the account of the remitter.

8. *Payments of telegraphic transfers, mail transfers and drafts.*— In the case of a telegraphic transfer the person claiming payment will be required to furnish,

i) a telegraphic intimation to him from the place where the remittance has been issued.

ii) identification by a well-known and responsible person would should certify that the payee is known to him.

Note: A Commercial or Co-operative bank applying for payment of the amount of a telegraphic transfer at treasury agencies need not produce the telegram received from the remitter, but may furnish instead a letter from the agent or manager of the concerned bank, advising the receipt of intimation of the telegraphic transfer and demanding payment.

9. In the case of a mail transfer, the question of telegram being produced by the collecting bank does not arise, but the normal precautions should be taken to ensure that the payee's account is credited without any delay.

10. If the remittance has been made through a draft, it should be receipted on the back by a person entitled to give a legal quittance for the payee, before they are presented for encashment. Where payment is not collected through a recognised bank, a draft will be payable after the paying office has satisfied itself of the genuineness of the claimant's signature on the back of the draft. A draft can be transferred by endorsement and delivery.

11. *Cancellation of telegraphic and mail transfers.*— A telegraphic or mail transfer will be cancelled at the written request of the remitter provided that it is received by the paying office in sufficient time before the payment is or is due to be made. The amount of the instrument, in respect of which payment has been stopped will thereupon be refunded, after the drawing office has obtained confirmation from the drawee office that instructions to cancel the original transfer have been complied with. Where the applicant so desires, the drawee's confirmation can be arranged by telegram. The cost of telegram and the postage incurred in this connection will be payable by the applicant. The exchange realised on mail or telegraphic transfer will in no case be refunded

12. *Cancellation of drafts.*— A draft can be cancelled and its amount refunded on the application and receipt of the remitter, on surrender of the whole set i.e. if a duplicate or a triplicate has been issued, a draft can be cancelled only if the original with the duplicate and the triplicate, if issued, are surrendered, provided the drafts bear no endorsement or other evidence to show that they were delivered to the payee and provided further that the signature of the remitter on the letter of request for cancellation agrees with that on the relevant draft application form. If the drafts bear any endorsement by the payee/endorsee(s) or crossing by any bank the remitter should have the endorsements/crossings cancelled by the makers thereof before surrendering the draft for cancellation. Where these requirements are not satisfied, the remitter while making application for cancellation of the draft should explain the reasons for his request and the difficulties in complying with the requirements. No exchange which has been levied, will be refunded.

13. *Unpaid drafts.*— Drafts which are outstanding for more than six months can be paid only after they have been revalidated for payment by the drawing officer.

14. *Lapsed drafts.*— A draft which is not paid before the end of the third accounting year of Bank (the Bank's accounting year is from 1st July to 30th June) after that in which it is issued shall be treated as lapsed, Payment on such draft will be authorised by the Currency Officer of the area to whom necessary application should be addressed. The areas within which the various Currency Officers exercise their jurisdiction are as follows:

Currency Office at	*Jurisdiction*
Bangalore	The State of Karnataka
Bombay (Fort)	Greater Bombay as defined in Clasue (2) of Section 2 of the Greater Bombay Laws and Bombay High Court (Declaration of Limits) Act, 1945, i.e. Bombay island and the Bombay suburban district (roughly south of a line connecting Dahisar and Mulund on the Western and Central Railways respectively).
Byculla (Bombay)	The districts of Ahmednagar, Aurangabad, Bhir, Kolaba, Kolhapur, Nanded, Nasik, Osmanabad, Parbhani, Poona, Ratnagiri, Sangli, Satara, Sholapur and Thana in the State of Maharashtra, and State of Gujarat and the Union Territories of Dadra and Nagar Haveli and Goa, Daman and Diu.
Calcutta	The State of Assam, Meghalaya, Nagaland, Manipur, Tripura, Orissa and West Bengal and the Union Territories of Arunachal Pradesh, Mizoram and Andaman and Nicobar Islands.
Hyderabad	The State of Andhra Pradesh.
Kanpur	The State of Uttar Pradesh.
Madras	The State of Kerala and Tamil Nadu and the Union Territories of Pondicherry and the Lakshadweep Islands.
Nagpur	The State of Madhya Pradesh and the districts of Akola, Amravati, Bhandara, Buldana, Chanda, Dhulia, Jalgaon, Nagpur, Wardha and Yeotmal in the State of Maharashtra.
New Delhi	The States of Haryana, Himachal Pradesh, Jammu and Kashmir , Punjab and Rajasthan and the Union Territories of Chandigarh and Delhi.
Patna	The State of Bihar.

15. *Issue of Duplicate Drafts.*— When a draft has been either lost or destroyed and satisfactory evidence to that effect is available, an application may be made for the issue of a duplicate draft within a reasonable period after issue but before it has lapsed to the office from which the draft was originally obtained. The duplicate draft may be granted to the party, who obtained the original draft, or to his legal representatives on the latter's title being established to the satisfaction of the drawing office, and shall not be granted to any person. Where the remitter of a lost draft is a department of the Central or the State Governments the duplicate may be issued to the remitter provided the draft was lost while in his custody, or to the payee/endorsee thereof, in other cases. In such cases, the application for issue of a duplicate draft may be received from a Government Department .(Departmental Officer) in its/his capacity as the remitter or the payee/endorsee. If the lost draft has already lapsed, a duplicate will be issued after obtaining sanction from the Currency Officer.

16. The loss of a draft should be promptly reported to both the drawee and drawing offices. The applicant of the draft will be required to furnish a Letter of Indemnity in the prescribed form with two sureties each good for the amount of the draft, irrespective of whether the draft reported lost is current or has lapsed. If the amount of the draft is small, the production of two sureties may be

waived at the discretion of the issuing office. The Letter of Indemnity should be stamped as an agreement in accordance with local amendments to the Indian Stamp Act, 1899 in the State in which it is executed and should not be attested. If both the original and duplicate drafts are lost or destroyed, a tripicate may be obtained by following the same procedure.

Where the applicant applying for issue of a duplicate draft is a department of the Central or State Government, the Letter of Indemnity should be obtained in a special form prescribed by the Reserve Bank. The Officer-in-charge should also ensure that the official signing the Letter of Indemnity is one who is authorised under Article 299 (1) of the Constitution to execute documents on behalf of the President of India or the Governor of the State, as the case may be.

17. *Refunds not allowed if drafts are lost.*-- No refund on a lost draft can be obtained. The remitter will have to obtain a duplicate of the draft from the issuing office and receive the payment thereof through the payee at the office on which the original draft was issued.

18. The facilities offered by the Reserve Bank of India for the remittance of funds across the country under its integrated Remittance Facilities Scheme have been set out in the preceding paragraphs in detail for general information. The law and practice relating to the payment of various instruments drawn on and payable through treasury agencies (as embodied in the Central Treasury Rules or the various financial codes of the State Governments which are deemed to be statutory rules made under Article 283 of the Constitution of India), banks or the law and practice in regard to the payment of various instruments through banks will be applicable to or in relation to the telegraphic and mail transfers and drafts issued under the Scheme.

19. All parties making use of the facilities offered by the Reserve Bank are advised in their own interest, to take all reasonable precautions in regard to the safety of the various instruments and the remittances generally.

RESERVE BANK OF INDIA
CENTRAL OFFICE
Bombay—400 001.

Dated 1st August 1975.

List of agency banks as defined in paragraph 2(b) of the Scheme

The Reserve Bank has entered into agency agreements for certain specified purposes with all the 14 nationalised banks and the question of extending the scope of the Reserve-Bank of India Remittance Facilities Scheme so as to provide for remittances through the offices of these bank (in addition to the offices of the State Bank of India and its Subsidiaries) is under consideration. As and when the nationalised banks are appointed as agents for the purpose of the Scheme their names will be included in this Annexure.

1. State Bank of India
2. State of Bank of Bikaner and Jaipur
3. State of Bank of Hyderabad
4. State Bank of Indore
5. State Bank of Mysore
6. State Bank of Patiala
7. State Bank of Saurashtra
8. State Bank of Travancore

Rem. I.

☐ TELEGRAPHIC TRANSFER
☐ MAIL TRANSFER
☐ DEMAND DRAFT

RESERVE BANK OF INDIA REMITTANCE APPLICATION

DATE

FOR MY/OUR ACCOUNT AND RISK AND WITHOUT ANY RESPONSIBILITY TO YOURSELVES AND SUBJECT TO THE CONDITIONS OUTLINED IN THE RESERVE BANK'S REMITTANCE FACILITIES SCHEME BOOKLET PLEASE EFFECT THE TRANSFER/ISSUE A DRAFT AS DETAILED BELOW.

BENEFICIARY

NAME :

ADDRESS :

DRAWEE BANK/OFFICE ____________

PAYABLE AT ____________

☐ Crossed 'A/c. Payee'
☐ Crossed 'For credit of Govt. A/c, - Not Payable in cash'
☐ Superscribed 'Not Transferable'

Amount Rs.
Exchange Rs.
Tel. Charges Rs.
TOTAL Rs.

Rupees ____________

@ Certified that the Remittance Represents ____________

FOR OFFICE USE

Recd. Rs. ....
Authorised Official
Cash Department

Scroll No. ....
Draft / M.T. No. ....
Telegraphed,

@ If the remittance is required at par or at a reduced rate, please state the purpose,

APPLICANT :
SIGNATURE
NAME
ADDRESS

P.T.O.

INSTRUCTIONS :

1. Please tick mark any one of the squares on the top right hand corner to indicate whether a telegraphic transfer, mail transfer or demand draft is desired.

2. Where more than one transaction is involved, a detailed list should be attached.

3. Demand drafts representing remittances of inter-departmental and inter-Governmental dues will be issued with the crossing 'For credit of Government A/c-Not payable in Cash'. Demand drafts representing remittances in favour of Government officials for disbursement by them will be issued with the superscription 'Not Transferable'. A GOVERNMENT DEPARTMENT DESIRING A DEMAND DRAFT TO BE ISSUED WITH CROSSING/SUPERSCRIPTION IN ANY OF THE ABOVE MANNER MAY PLEASE INDICATE IT BY PLACING A TICK IN THE APPROPRIATE SQUARE OVERLEAF.

PARTICULARS OF CASH

DETAILS	AMOUNT Rs.	P.
COIN		
NOTES		
TOTAL		

PARTICULARS OF CHEQUES

DRAWEE	AMOUNT Rs.	P.

ANNEXURE 'B'

[See rule 11.15]

(Impressed Stamp)

Letter of indemnity with respect to issue of Duplicate Reserve Bank of India "Bank" Draft.

The Treasury Officer/Sub-Treasury Officer,
…………………………………………

In consideration of the Treasury Officer/Sub-Treasury Officer……………on behalf of the Reserve Bank of India, issuing a duplicate of a Reserve Bank of India "Bank" draft for……….No…………….dated the…………..forwarding…………., for Rs…………(in words)……………I/we the undersigned……………….and………………hereby (jointly and severally) guarantee and agree to hold the said Reserve Bank of India, their successors and assigns, harmless and indemnified, from and against all consequences that may arise from their so doing and from payment of the original Reserve Bank of India "Bank" draft and from and against all losses, charges and expenses in connection with the said bank draft or duplicate and I/we the said…………further undertake to deliver to you the said bank draft, if and when found.

Dated the……………….this………..day of……….19…….

Signatures

Note.— To be stamped as an agreement in accordance with the Stamp Act of the State in which the indemnity is executed.

This document will not be attested.

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1. Appendix "B" - "Conditions for indigenous bankers, who wish to avail themselves of the concessional rates of remittances and the procedure relating thereto" not reproduced as the R.B.I. Remittance Facilities Scheme, 1975 does not appear to contain any such provision. – *Compiler.*

CHAPTER XII

Deposits

Note.— The provisions of rule 3.13 apply *mutatis mutandis* to the relevant rules in this Chapter.

I—CLASSIFICATION AND LIMITATIONS

12.1. Moneys received at the treasury for deposit in the public account are generally classified according to the department through which they are received. The usual classes being —

(1) Revenue Deposits;
(2) Criminal Courts Deposits;
(3) Civil Courts Deposits; and
(4) Personal Deposits.

There are also other classes of deposits, such as, deposits of fees received by Government servants for work done for private bodies, deposits for work to be done for public bodies and individuals. Unclaimed Provident Fund Deposits, Deposits of Police Clothing and Equipment Fund, Public Works Deposits, etc.

Other classes of deposits may be added under the special orders of the Accountant General.

12.2. These rules do not apply to departments which are not under the audit control of the Accountant General, Himachal Pradesh. Whatever sums are paid into atreasury by Government servants of these departments, or on their account, must be carried to the credit of the department concerned in the accounts.

12.3. No moneys shall be received for deposit in the public account unless they are such as by virtue of any statutory provision or of any general or special orders of the Government are required or authorised to be held in the custody of the Government. Subject as aforesaid, it is the duty of the Treasury Officer to see that save as expressly otherwise provided by these rules no money is credited as a deposit except under the formal order of a court or other competent authority and also, if the amount could be credited to some known head in the Government account to make representations to the court or authority ordering its acceptance or in whose favour the deposit was received. *See also* Article 62 of Account Code, Volume II.

Note.— Government Promissory Notes or other security deposits (not being cash) received from revenue farmers or other contractors are not revenue, and must on no account be credited as deposits.

12.4. The treatment of the following items as deposits is prohibited:--

(1) No pay, pension, or other allowances should be placed in deposit on the ground of the absence of the payee or for any other reason; as a rule pay should not be drawn till the claimant appears.

Note.— When a pension is granted to several persons jointly, it may not be drawn on the appearance of one claimant only, and payment of his computed share made, the balance being placed in deposit.

(2) No fines should be placed in deposit on the ground that appeal is pending; they should be credited at once to Government and refunded, if necessary on order of the appellate court. But compensation fines (including costs in criminal cases) due to an injured party, and not to the Government, may be kept in deposit, both in appealable and non-appealable cases, till they lapse under the ordinary rule.

(3) No refunds whether of stamps or of other receipts can be drawn to be lodged in deposit pending demand by the payee,--*vide* Subsidiary Treasury Rules.

(4) The sale proceeds of unclaimed property are not to be placed in deposit at all under Act V of 1861, section 26, the property itself is to be kept for six months, but money realized by sale is at once (section 27) at the disposal of the Government, and should be taken to the credit of Administration of Justice. Exception must, however, be made in the case of property left by persons dying intestate and without heirs, which civil courts will secure and hold for certain periods in accordance with the local law.

Note 1.—If unclaimed property be perishable and be sold because it cannot be kept, or if it be sold for the benefit of the owner or because its value is less than ten rupees, its proceeds should be held for six months in deposit, but the circumstances should be clearly stated under "Nature of deposit" in the deposit register.

Note 2.—Money belonging to prisoners in jail should not be held for long terms by the Jail Department, but should be paid into the treasury at convenient intervals.

Note 3.—The Police Department should have no deposits except security and earnest money deposits which should be paid into the treasury as Revenue Deposits, unclaimed property found by, or delivered up to a police officer should be made over to the Magistrate; *see* also items (1) and (6) under this rule.

(5) Money tendered as personal deposits by private individuals or by Government servants acting in other than their official capacity, and funds of quasi-public institutions even though, like certain dispensaries, they are aided by Government, may not be accepted as personal deposit at a treasury without the special permission of the competent authority for the opening of a banking account with the treasury. Nor can any jewels or other property received for custody and restoration in kind be brought on the deposit account though the value be stated in money.

Note.— Moneys tendered by or on behalf of wards and attached estates and estates under Government management may be accepted at a State treasury for credit as personal deposits.

(6) Proceeds of sales of old stores or other Government property.

Note.— These should be credited to Government at once.

(7) Licence fees recovered in advance from excise contractors, which should be taken direct to the head "Excise".

(8) Receipts in connection with the trijunction pillars.

(9) Land revenue and cesses collected in one tahsil on account of another tahsil or district.

(10) Receipts for which full particulars are not shown should not be placed in deposit but should be credited as 'unclassified items' of the department concerned.

II–REVENUE DEPOSITS

A — Explanatory

12.5. Revenue Deposits are deposits made in Revenue, Criminal and Civil Courts, other than Small Cause Courts, or in connection with revenue administration; but *see* rule 12.15 These deposits include:--

(1) Civil Court decree money.

(2) Compensation fines (including costs) payable to injured parties in criminal cases, both appealable and non-appealable, till they lapse, under the ordinary rule.

(3) Cost of stamp in partition cases when it is known that the amount will not be disbursed immediately.

(4) Recoveries on account of cost of chaukidar's uniforms.

N.B.— Where there are extensive transactions, a Personal Ledger Account may be opened for them.

(5) Chaukidari collections.

(6) Jagir money.

(7) Pre-emption money.

(8) The nest sale-proceeds of unclaimed impounded cattle (for three months only and if no claim be made within this period they are credited to Government).

(9) Undisbursed amount of compensation for land taken up for public purposes.

(10) Redemption money.

(11) Sale-proceeds of confiscated property.

(12) Undisbursed portion of patwaris' share of mutation fee (temporarily).

(13) Tahsildari cess only when the amount cannot conveniently be paid at the time of collection.

(14) Pachotra payable to Lambardars. In special cases only.

(15) Sarpanchi allowances.

(16) Earnest money deposits made by intending tenderers of civil departments (including the Forest Department).

Note.— No previous authority of a departmental Government servant to receive this money is necessary, but the depositor must state the designation of the Government servant in whose favour he makes the deposit; and that designation must be stated on the receipt given by the Treasury Officer.

(17) Advance deposits in cash by temporary cultivation lessees in colony areas.

(18) Other amounts received by Government but payable to private persons.

(19) Security payments made under the Retail Liquor Licence Instructions and also tender fees under those instructions.

(20) Money realised from villagers on account of the pay of Forest Guards.

(21) Security Deposits when tendered in cash by the keepers of Printing Presses and Publishers of Newspapers under the Indian Press Act, 1910.

(22) Publication charges is insolvency cases.

(23) Election money deposits.

(24) Probate in letters of administration and succession certificate fees.

Note.— The amount credited into the treasury on account of cost of court-fee stamps required for succession certificate should be drawn on revenue deposit repayment voucher which should be prepared not in favour of the applicant but in favour of the officer in charge of the treasury or sub-treasury who will credit the amount by transfer credit to the head "0030 Stamps and Registration-B—Stamps—Judicial—Sale of Stamps" and issue the stamps in the name of the applicant.

(25) Security money of students of School of Arts.

(26) One-fourth or one-fifth of auction or sale money of attached properties.

(27) Commission fees.

B—Treasury Accounts and Procedure

(a) Receipts

12.6. Deposits received at the treasury should be recorded in treasury accounts in accordance with the directions contained in Articles 64 and 65 of Account Code, Volume II.

Note.— At places where the treasury business is conducted by the bank, the registers of deposits are kept in the Collector's office; the bank only receives the amounts tendered in accordance with Subsidiary Treasury Rules and credits them under their proper designation.

12.7. Deposits not exceeding five rupees unclaimed for one whole account year, balances not exceeding five rupees of deposits partly repaid during the year then closing, and all balances unclaimed for more than three complete account years shall, at the close of March in each year, be credited to the Government by means of transfer entries in the Accountant General's office. *See* also Article 127 of Account Code, Volume II.

In note below Serial No. 24 of Rule 12.5 Head of Account changed due to revision of structure of classification from 1-4-1987.

Balances in the Personal Deposit Accounts do not lapse to Government if outstanding for more than three complete account years. In cases, however, in which the Personal Deposit Accounts are created by debit to the Consolidated Fund, the same should be closed at the end of the financial year by *minus* debit of the balance to the relevant service heads in the Consolidated Fund, the Personal Deposit Accounts being opened next year again, if necessary, in the usual manner. If a Personal Deposit Account is not operated upon for a considerable period and there is reason to believe that need for the Deposit Account has ceased, the same should be closed in consultation with the officer in whose favour the Deposit Account has been opened.

Exception.— All items on account of Sheriffs Petty Accounts irrespective of their amounts will remain current for three complete account years and lapse to Government only on the expiry of that period. The presiding officers of the courts concerned will certify on the statements showing the amounts which should lapse to Government on the expiry of three years that all such amounts have been included in the statements.

Note 1.-- The total of the list referred to in Article 127 of Account Code, Volume II, should be deducted in the *plus* and *minus* memorandum from balance shown at credit of the particular class of deposits, the list itself, signed by the district officer, being forwarded to the Accountant General. This duty may be delegated by the district officer to a Gazetted Government servant of the district staff, not being the Treasury Officer.

Note 2.-- For the purpose of this rule, the age of a repayable item or of a balance of it is to be reckoned as dating from the time when the item or the balance, as the case may be, was initially deposited.

(b) *General*

12.8. The rules regarding repayments and the form of voucher for repayment are contained in Subsidiary Treasury Rule. *See* also Article 67 of Account Code, Volume II.

Note.— *See* also not 3 below rule 9.4 which applies ***mutatis mutandis*** to deposit repayments also.

12.9. On the production of a lapsed deposit repayment order (*vide* Subsidiary Treasury Rules) the authority which originally granted it may, if satisfied that the person producing it is entitled to receive payment, revalidate the order by writing on it--

Renewed.

(Signed)

Dated......................

The fact and date of renewal should be noted on the original departmental record of the repayment order.

(c) Lapsed Deposits

12.10. Deposits credited to the Government under rule 12.7 cannot be repaid without the sanction of the Accountant General,–*vide* Subsidiary Treasury Rules; but this sanction will be given as a matter of course on ascertaining that the item was really received and was carried to the credit of Government as lapsed, and that the claimants identity and title to the money, etc., are certified by the officer signing the application for refund. The amount of a lapsed deposit refunded will, however, be charged in the cash book as a refund and not debited to deposits, *see* Article 63 of Account Code, Volume II. But the repayment of a lapsed deposit shall be recorded in the appropriate district register of receipts, so as to guard against a second payment.

Note.– The entry of repayments in district register of receipts will not be possible if the repayments are made after the registers have been destroyed. The rule in the last sentence of the above article is, therefore, inoperative in such cases.

As neither the treasury nor the Audit Officer has any means of verifying a claimant's title to a refund in such cases, the responsibility for such verification shall devolve on the authority who signs the applications for refund in form prescribed in Subsidiary Treasury Rules.

H.P. GOVT. ORDER

(1) **Simplification of procedure for repayment of lapsed deposits.**— The undersigned is directed to say that Rule 12.10 of the Himachal Pradesh Financial Rules, Vol. I, 1971, provides that deposits credited to the Government under rule 12.7 cannot be repaid without the sanction of the Accountant General. Similar provision exists in rule 4.130 of the Punjab Subsidiary Treasury Rules, which the State Government has adopted. It has been laid down therein that deposits which have lapsed and so have been credited to Government cannot be repaid without the sanction of the Accountant General. In order to simplify the procedure, the Governor , Himachal Pradesh, in consultation with the Accountant General Himachal Pradesh, is pleased to order as under:–

(i) that deposits, the detailed account of which are not kept at the Treasury and which are credited to the Government under rule 12.7 *ibid*, cannot be repaid without the sanction of the Accountant General, who will authorise repayment on ascertaining that the item was really received and carried to the credit to the Government as lapsed, and that the claimants identity and title the money are certified by the officer signing the application for refund; and

(ii) the deposits, the detailed account of which are kept at the Treasuries and which are credited to the Govt. under rule 12.7 may be refunded without the sanction of the Accountant General. The Treasury Officer shall, before authorising refund in such cases, ascertain that the item was really received and is traceable in his records, as carried to the credit of the Government as lapsed and was not paid previously, and that the claimants' identity and title to the money are certified by the officer signing the application for refund.

The decision may kindly be brought to the notice of all concerned.

Necessary provision to this effect is being made in the Himachal Pradesh Subsidiary Treasury Rules, which are under compilation.

[H.P., F.D., O.M. No. 1-2/72-Fin. (Reg.), dated the 29th July, 1972]

(d) Account Returns to be submitted to the Accountant General

A—Explanatory

12.11. Extract registers of deposits received, registers of repayments of deposits, *plus* and *minus* memoranda, quarterly certificates, clearance registers, statements of lapsed deposits, etc., should be prepared and submitted to the Accountant General in accordance with the directions contained in Articles 105 to 107, 111, 124, 125 to 127 of Account Code, Volume II.

Note 1.—Old items transferred from one clearance register to a second one,–*vide* Article 125 of Account Code, Volume II, should be carefully watched by the district officer. Such items in the ordinary course lapse at the end of two years for which the latter is current. They cannot be allowed to be carried forward to a third clearance register without the special sanction of the Accountant General.

Note 2.—It is not intended that clearance registers should be used in district offices.

Note 3.—The outstanding balances of the Sheriff's Petty Accounts should be included by the Treasury Officer in the Revenue Deposit State Clearance Register, and the lapsed items of Sheriff's Petty Accounts in the lapsed statements of Revenue Deposit "State".

III—CIVIL COURT DEPOSITS AND SHERRIF'S PETTY ACCOUNTS

A—Explanatory

12.12. The deposits of Civil Courts other than deposits of Small Cause Courts and Sheriff's Petty Accounts are treated in accounts as Revenue Deposits.

The deposits of Small Cause Courts and Sheriff's Petty Accounts are accounted for under "Civil Courts Deposits" and "Personal Deposits", respectively.

B—Maintenance of Accounts

(i) Civil Courts other than Small Cause Courts

12.13. Each item of deposit is separately paid into and drawn from the treasury upon documents passed by the presiding officer and setting forth the particulars necessary for the entries in the deposit registers kept at the treasury. The registers of receipts and repayments are kept and the monthly and annual returns and lapsed list are submitted by the Treasury Officer in the manner prescribed for revenue deposits, although the sets of registers and returns at the treasury must all be kept separate from those of the revenue deposits, See also Article 71 of Account Code, Volume II.

Note.— Other detailed instructions for the deposit accounts of these courts are given in the High Court Rules and Orders.

H.P. GOVT. ORDER

(1) Rounding off of all Government transactions involving fractions of a rupee to the nearest rupee — Decision not applicable to Civil Court Deposits/Payments.— In inviting a reference to this Department's O.M. of even number, dated the 3rd June, 1987 *vide* which decision regarding rounding off of the transactions in Government Account conveyed by the Government of India *vide* their communication referred to in the aforesaid O.M. of this Department and applied in H.P. with effect from 1-4-1987, I am directed to state that pending further orders, the Finance Department's Office Memorandum referred to above will not be applicable to Civil Court Deposits/Payments and in that regard *status quo* shall be maintained.

[H.P. Govt., F.D., letter No. Fin(C)-A)3)-2/79, dated the 8th May, 1987 to all Treasury Officers, etc.]

(ii) Small Cause Courts

12.14. All deposits are paid into and held at the court. When, however, the sum in possession of the court exceeds Rs. 1,000 the excess amount is at once remitted to the Government treasury. All repayments are made by the court itself without the intervention of the Treasury Officer out of the balance held by it. If, however, the balance is not sufficient to meet the claims the repayment is made by cheques on the Treasury Officer, against the surplus collections remitted to the treasury.

All transactions of receipts and payments are brought to account by the court concerned in the registers of receipts and repayments maintained by it.

The gross receipts and repayments, as reported by the courts concerned from time to time, —*vide* Appendix 16 (including repayments by cheques at the treasury) are taken by the Treasury Officer to the personal deposit account opened separately for each court. These personal ledgers and the corresponding accounts and returns must be kept by the Treasury Officer in the form prescribed for personal deposits, but quite separate from those of personal deposits proper, being designated as "Civil Courts Deposits".

Each court submits to the Treasury Officer monthly returns, i.e., extract registers of deposit receipts and repayments, with vouchers duly stamped where necessary and *plus* and *minus* memorandum, quarterly certificate, clearance register and statement of lapses etc. These returns are transmitted in original by the Treasury Officer to the Accountant General.

Note 1.—In the case of Small Cause Court, Shimla, the procedure is slightly different in as much as all deposit receipts received daily are paid into the treasury and repayments are made therefrom by cheques.

Note 2.—For detailed instructions for the maintenance of deposit accounts of these courts *see* Appendix 16.

(iii) Sheriff's Petty Accounts

12.15. The Sheriff's Petty Accounts are made up of the numerous petty sums received by Civil, Revenue and Criminal Courts from parties to suits or other judicial proceedings for immediate disbursement in full (as for diet money of witnesses, commission fees, etc.). The receiving courts should record and deal with these petty deposits, with the same care and formality as with others. At the treasury these deposits are treated like personal deposits; but the system of accounting followed in the courts is more or less similar to that of deposit transactions of Small Cause Courts.

Note.— No vouchers are required in support of repayments but a certificate to the effect that the accounts are maintained in proper form and are in order, and that payments have been made to the rightful parties, and their receipts taken and are with the Nazir, and have been so cancelled that they cannot be used again to support a second claim against Government is required from each Senior Sub-Judge for all petty sums repaid by his court. If the Senior Sub-Judge takes the responsibility on himself to give the certificate for all the courts it will be sufficient.

IV—PERSONAL DEPOSITS

A—Explanatory

12.16. Special banking accounts are sometimes kept for certain classes of deposit transactions of a public or quasi-public nature (such as receipts and payments on account of wards and attached estates and estates under Government management) for which it is not necessary to treat each disbursement as made against a particulars receipt. The account kept of them in the treasury is of the nature of banking deposit account. These accounts are called personal deposit accounts.

Note.— For repayment against personal deposits, *see* Subsidiary Treasury Rules.

12.17. Moneys tendered by Government officers acting in their official or any other capacity and funds of quasi-public institutions even though like certain dispensaries which may be aided by Government, may not be accepted as personal deposits at a Treasury without the special permission of the competent authority for the opening of a banking account with that treasury. Such permission may not be granted except after consultation with the Accountant General and unless the authority granting the permission be satisfied that the initial accounts of moneys to be held in such personal deposit accounts are properly maintained and are subject to audit.

The competent authority shall scrutinise the proposal for the opening of a personal ledger account thoroughly before referring the case to the Accountant General, with a view to ensuring that the number of such accounts is not unnecessarily multiplied and shall further see that those cases, where the moneys can conveniently be either credited to the final heads of accounts or accounted for under the provisions of Article 43 of Audit Code, are not referred to the Accountant General.

Note 1.—Under Article 284 of the Constitution of India all moneys received by or deposited with any officer, employed in connection with the affairs of the State, in his official capacity are required to be paid into the public account of the State. In view of these provisions, bank accounts, outside the public account of the State, should not be opened.

Note 2.—In connection with the opening of a personal ledger account for departmental purpose at a treasury the following information should invariably be furnished to the Finance Department with the proposal for communication to the Accountant General, Himachal Pradesh:–

(i) nature of transactions intended to be covered by the personal ledger account;

(ii) the manner in which the funds will be provided for initially in the personal ledger account and in the case of personal ledger account to be opened with Government money, the major, minor and detailed heads of account to which the expenditure will be debited;

(iii) the head of account to which the transactions of the personal ledger account will be booked;

(iv) the financial limit on the individual personal ledger account; and

(v) the arrangements for the local audit of transactions of the personal ledger account.

Information in respect of item (iii) will be supplied by the Finance Department when referring the proposal to the Accountant General, Himachal Pradesh.

Note. 3—The personal ledger account already opened at one treasury may not be transferred to another treasury or a sub-treasury under the jurisdiction of the same treasury except with the approval of the Finance Department and Audit Department.

B—Maintenance of Accounts

(i) Accounts and Returns

12.18. Rules relating to the recording of personal deposits transactions in the personal deposits accounts and in the register of personal deposits, and to the submission of monthly and other returns connected therewith are given in Articles 68,70,108 and 126 of Account Code, Volume II.

Note 1.—In the case of personal deposit accounts (Article 68 of Account Code, Vol. II), it is not necessary to transfer the accounts to a new volume with a new year, but if there be no page available when it is necessary to open a new account or carry forward an old one, all unclosed accounts should be simultaneously carried forward to a new volume.

Note 2.—If there be a large number of transactions on the same day, a balance in the personal deposit account need not be struck after each transaction, but the Treasury Officer, if there be any possibility of an overdrawal, should by totalling the items of receipts and refunds and striking the balance whenever necessary, satisfy himself that the balance is not overdrawn. The Treasury Officer shall invariably, however, strike a total at the end of each day's transactions.

Note 3.—In the case of minors' estates of which the District Judges are *ex-officio* guardians under section 18 of Act VIII of 1890 and section 2 (3) of Act X of 1892, there need not be separate account of each minor, but a separate account should be opened for each Government servant who acts as guardian of one or several minors' estates. These orders do not apply to estates under the court of wards for each of which separate account should be maintained.

(ii) Pass Books

12.19. A pass book in H.P.F.R. Form 23 should be kept for each personal deposit account.

It should be the duty of the administrator of the fund to see that the pass book is sent to the Treasury Officer at least once a month and balanced.

The pass book should remain in the personal custody of the administrator and not of the official concerned either with the paying in or paying out of money or checking the account.

12.20. The Treasury Officer is responsible for seeing that the entries are correctly made and at the end of each month the entries on each side of the pass book are totalled and the balance struck and agreed with the treasury account. The book should then be signed by the Treasury Officer.

C—Cash Orders and Tahsildari Letters of Credit

(i) Issue of cash orders, etc.

12.21. Tahsildari letters of credit and cash orders are issued by the treasury in respect of payments to be made át a sub-treasury,--*vide* Subsidiary Treasury Rules. The former are issued invariably in favour of the Tahsildar concerned while the latter are issued in favour of the person to whom money is due or who is responsible for its disbursement. Payments against a letter of credit can be made in several instalments by the Tahsildar drawing cheques in favour of the persons to whom the money is due or who are responsible for its disbursement; while a cash order is payable in one instalment to the individual named therein who obtains payment at the sub-treasury by presenting the cash order itself duly receipted,--*vide* Subsidiary Treasury Rules.

Note 1.—In the case of Public Works and Forest Departments and Local Funds, if the payment of any cheque is intended to be made through the Tahsildar, it should be drawn by the drawer in his own favour and duly receipted before submission to the head treasury for the issue of a letter of credit.

Note 2.—When both cash and a bill are sent to the Treasury Officer for the issue of letter of credit or cash order, two separate requisitions should be sent and the Treasury Officer should issue two separate letters of credit or cash orders, i.e., one in respect of the cash tendered and the other aganst the bill.

Note 3.—The amounts of the letters of credit issued in favour of the Tahsildars at the Headquarters will be credited in the head treasury accounts to the Tahsildari ledger, and disbursed direct from the treasury upon cheque signed by the Tahsildar.

Note 4.—In cases where funds are being supplied to the Tahsildar from the Public Works Department, or from the District Fund, for the construction of public works, or for other purposes, care should be taken to restrict the amount of the letter of credit issued, as much as possible, to the sums probably required for disbursement during the currency of the letter of credit, in order that the unpaid portion of every letter of credit on the date it lapses may be reduced to the smallest possible amount.

(ii) Adjustment of cash orders, etc.

12.22. The adjustment of cash orders issued on sub-treasury is watched by opening a personal ledger for each sub-treasury,-- *vide* Article 69 of Account code, Volume II. The same procedure applies *mutatis mutandis* to the adjustment of Tahsildari letters of credit.

Note.— *See* also Article 123 (2) and note below Article 123 of Account Code, Volume II.

(iii) Adjustment of lapsed cash orders, etc.

12.23. The charges in respect of lapsed cash orders and letters of credit (*vide* Subsidiary Treasury Rules) are adjusted by debiting personal ledger account of the sub-treasury and crediting the head "unclassified items" in the receipt schedule of the department concerned with full particulars as to the number and date of original voucher, designation of drawing officer and nature of original charge. The debit will be supported by a simple receipt signed by the Treasury Officer showing the particulars of the lapsed cash order or letter of credit. A note regarding lapse should invariably be made in the register concerned.

Note.— For refunds of the lapsed items in a letter of credit or cash order *see* Subsidiary Treasury Rules.

V—DEPOSITS OF FEES

12.24. The fees received by the Government servants for work done for non-Government bodies or private persons are accounted for as below:–

(i) In cases where a Government servant is permitted to retain the whole of a fee, he should collect it himself and the Government accounts will not be concerned with the transaction.

(ii) In cases where recoveries from the private bodies are divisible between the Government and Government servant concerned—

(a) if the exact amount of the fees and the distribution of shares between the Government and the Government servant are known beforehand, the share due to the Government should be credited as miscellaneous receipt of the department to which the Government servant belongs, and the rest should be collected by the Government servant himself. The Government share should be paid into the treasury as far as possible by the body or person paying the fee;

(b) if the amount of the fees or the shares are known only approximately beforehand, the fees should be credited to the head "Deposits of fees received by Government servants for work done for private bodies" pending final settlement, when the share due to

Government should be credited as revenue of the department to which the Government servant belongs and the rest should remain under the deposit head for disbursement to the Government servant as laid down in Subsidiary Treasury Rules. The Accountant General will when returning the bill duly authorised for payment (under Subsidiary Treasury Rules) advise the Treasury Officer to credit the State share of the fees to Government as a miscellaneous receipt of the department to which the Government servant belongs.

Note.— These rules are intended to be applied to cases in which the whole or a share of the fees as such is payable to the Government servant doing work for private bodies or persons. They are not applicable to cases, e.g., fees levied for overtime work in departments where it is in existence, where a Government servant undertakes the work as a part of his official duties although in view of the extra work involved and in consideration of the fees realised, he is remunerated by a share out of these receipts. In such cases the fees realised are adjustable as departmental receipts and the disbursements to the Government servant as departmental expenditure under "Allowances, Honoraria, etc."

VI—DEPOSITS ON ACCOUNT OF POLICE FUNDS

12.25. These deposits consist of moneys for clothing and equipment funds. They are accounted for like personal deposits.

Detailed rules relating to these deposits are given in the Police Rules, Volume I.

VII—DEPOSITS OF UNCLAIMED PROVIDENT FUND

12.26. The sums remaining unclaimed for a period exceeding six months shall be transferred to deposits at the end of each year and thereafter dealt with according to the rules governing "Revenue Deposits".

VIII—DEPOSITS AT SUB-TREASURIES

12.27. In respect of deposits made at sub-treasuries the procedure laid down in Articles 57 to 77 of Account Code, Volume II, should be observed.

The treasury should distinguish deposits credited into the sub-treasuries and repayable there by making use of a letter of alphabet (to be assigned to each sub-treasury, in addition to the serial number of each entry).

12.28. Deposits credited at a treasury but paid at a sub-treasury on orders given by the Treasury Officer will not be passed through the sub-treasury deposit register, but recorded as distinct items in the day book and the *Siaha*.

CHAPTER XIII

Local Funds

I—EXPLANATION

13.1. (a) The expression " Local Fund" denotes—

(1) revenues administered by bodies which by law or rules having the force of law come under the control of Government, whether in regard to the proceedings generally, or to specific matters such as the sanctioning of their budgets, sanction to the creation or filling up of particular posts, the enactment of leave, pension or similar rules;

(2) the revenues of any body which may be specially notified by the competent authority as such.

(b) Unless the contrary appears from the context, the instructions in this chapter apply primarily to the treatment of the transactions of the several funds by the treasury, and not to the maintenance of accounts in their own offices.

Note.— The expression "Local Body" as used in this chapter means the authority legally entitled or especially empowered by Government to administer local fund.

II—CUSTODY OF FUNDS

13.2. Unless permitted by the competent authority, or by a law, local funds are ordinarily obliged to place their funds in a Government treasury or the bank, if there is one near the local body concerned.

Note.— The orders regarding the custody and investment of Municipal Funds are contained in the Himachal Pradesh Municipal Act, 1968.

III—POWERS OF INCURRING AND SANCTIONING EXPENDITURE

13.3. The powers of the several authorities in the matter of incurring and sanctioning expenditure in respect of local funds administered by Government are regulated by the following principles:--.

(1) As regards funds constituted by the statute, powers of incurring and sanctioning expenditure will be regulated solely by the provisions of the statute. If the statute is silent on this point the Government as the final administrative authority, will have full powers of incurring and sanctioning expenditure and of delegating such powers.

(2) As regards other funds, the authority which constituted the fund will have full powers of incurring and sanctioning expenditure and of delegating such powers.

IV—MAINTENANCE OF ACCOUNTS AT TREASURIES

(a) Record of transactions

13.4. The transactions of all local funds should be recorded in accordance with the provisions of Articles 73 and 74 of Account Code, Volume II.

The following instructions should also be observed by treasuries in keeping accounts of local funds:--

(1) Details of transactions of Local Funds should not be included in the public accounts.

(2) Where the treasury business is conducted by the bank, the accounts of local funds are kept at the treasury, the bank only receives and pays the amounts in accordance with Subsidiary Treasury Rules and credits or debits them under their proper designation.

(3) Receipts in respect of municipal funds should be accepted at a treasury or sub-treasury other than that with which the running account is kept.

Note.— For accounts of municipalities with sub-treasuries *see* Sub-Treasury Manual.

[1](4) The amount on account of local rate which is ordinarily tendered along with land revenue shall be taken to the credit of the State. The proceeds of local rate so credited shall be placed by the Government at the disposal of Director of Panchayati Raj, who may appropriate the same for discharging the liabilities of Gram Panchayats, or Panchayat Samities or both and may allocate the remainder, if any, to Gram Panchayats, or Panchayat Samities or both in such proportion as may from time to time be decided by the Government. The Treasury Officer shall send monthly to the Director of Panchayati Raj a memorandum showing the local rate credited in the treasury account of the preceding month. For doing so, it is necessary that the treasury should keep a separate record of local rate figures in a rough Dakhila register, each sub-treasury being required at the same time to enter local rate receipts separately in its daily *Siaha*.

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1. Sub-rule (4) of Rule 13.4 substituted *vide* H.P. Govt., F.D., Notification No. 1-3/73 Fin. (Reg.), dated the 4th August, 1976.

(5) If by mistake a sum of money is credited to a wrong municipality or the amount of a cheque drawn by one municipality is wrongly charged to the account of another municipality, the necessary correction should be made by the treasury in the treasury account of municipal transactions by a transfer debit and credit. The amount debited to a municipality, in order to correct an amount wrongly credited to it, or the amount wrongly debited to a municipality which is corrected by a credit entry, should be supported by a certificate of the Treasury Officer, stating fully the circumstances under which the amount has been debited in excess of the aggregate amount of the cheques drawn by the municipality, and this certificate should be sent to the Accountant General as a voucher for the excess debit.

(6) Unless it be expressly authorised by law, proceeds of taxes, fines or other revenue levied or collected by Government may not be appropriated direct to a local fund without passing them through the Consolidated Fund of Government whether or not such taxes, fines, etc., are earmarked from the start for the purpose of the fund.

(7) Subject to the provisions of relevant Acts and rules made thereunder, adjustments with local bodies in respect of revenue and other money's raised or received by Government on their behalf will be made in such manner and on such dates as may be authorised by general or special order of Government.

(b) Plus and Minus Memorandum

13.5. A *plus* and *minus* memorandum should be prepared and submitted to the Accountant General as prescribed in Articles 110 and 111 of Account Code, Volume II.

Note.— A detail of separate accounts showing the gross total receipts and the gross total disbursements of each municipal fund should be sent to the Accountant General with the cash account and second list of payments. As this detailed statement is in the form of a *plus* and *minus* memorandum it is not necessary to show these receipts, payments and balances again in the separate *plus* and *minus* memorandum.

(c) Verification of balances

13.6. The balances at credit of each fund shall be verified at the end of the year by the Treasury Officer in communication with the Accountant General on the one side, and the Government servant or committee administering the fund on the other. The balance on the Accountant General's books is the balance acknowledged by the Government and the Treasury Officer is required to follow it, and not the local accounts, as his standard.

(d) Pass Books

13.7. The provisions of rules 12.19 and 12.20 relating to maintehance of pass books for personal deposit accounts apply *mutatis mutandis* to the unkeep of pass books for local funds.

V—ATTACHMENT ORDERS ISSUED BY CIVIL COURTS

13.8. Whenever an attachment order issued by a Civil Court against a local body is received for execution by the Treasury or Sub-Treasury Officer, the amount involved should forthwith be charged to the funds of that body and an intimation to that effect furnished to the local body concerned.

VI—ADJUSTMENT OF CONTRIBUTIONS PAYABLE TO OR BY LOCAL BODIES

13.9. All contributions (whether fixed or fluctuating) payable to or by such local bodies (municipalities, notified areas and small town committees) as bank with Government treasuries, are adjusted in the accounts office by book transfer credit or debit to the local bodies concerned.

As this arrangement applies only to those bodies which bank with Government treasuries, the system of cash payment and cash recovery should be followed in the case of those local bodies; which have been permitted to bank with private banks.

Intimation of the book adjustment when made in the accounts office is given to the Treasury Officers as well as to the Presidents of the local bodies concerned with a view to suitable amendment of the subsidiary registers and *plus* and *minus* memoranda maintained in the treasury and for making the necessary record in the pass books of the local bodies affected. Whenever the balance of a local body is altered at the instance of the Accounts Office, necessary entries should invariably be made in the banking account in red ink so as to distinguish them from the entries relating to cash transactions and the accounts office letter intimating the adjustment should be quoted as authority in the banking account against the adjustment entries.

Unless otherwise specified in the conditions governing the grants all fixed grants payable by Government shall be made to the local bodies at the beginning of each financial year.

VII—MISCELLANEOUS

13.10. (I). Unless any of the following arrangements have been authorised by the Government a local fund should be required to pay in advance the estimated amount of charges to be incurred or cost of services to be rendered by Government on account of the fund:--

(a) Payments as made by Government may be debited to the balances of the deposits of the local fund in Government books.

(b) Recovery from the Local Fund may be postponed till the time when Government has to make payment for the charges.

(c) Payments may be made as advances from Government funds in the first instance, pending recovery from the local fund.

Note.— In cases where a local fund has to pay for medicines supplied, but its liability cannot be accurately known within the year, owing to the account of supplies not being available from the Civil or Defence Department by the 31st March, the local fund concerned should be required to pay during March a sum roughly estimated as the value of the medicines. Any short or excess recovery being re-adjusted in the following year.

(ii) Any amount due to Government by a local body including any amount overdue for payment in respect of a debit, is subject to recovery by adjustment from any non-statutory grant sanctioned for payment to it. The authority giving or countersigning a bill for such a grant should see that this rule is observed as far as possible.

13.11. Service stamps may not be used by a local fund servant or any Government servant acting in a capacity connected with a local fund (such as President or Secretary of a local fund Committee) but they may be used on the correspondence of a public servant acting as such, even though the correspondence my relate to the affairs of a local fund.

Note.— Telegraphic messages the charges for which are to be borne by local funds, should be classified as "Private" and not "State".

13.12. Pass books will be supplied to local bodies free of cost from the nearest district treasury on indent. Cheque books will be obtained by the local bodies on payment from the District Treasury Officer concerned.

CHAPTER XIV

Service and other Funds

I—GENERAL RULES

14.1. The subscriber to a fund is responsible for seeing that proper deduction is made from his bills, though, for his convenience, it has been provided in Subsidiary Treasury Rules that the responsibility for making the necessary deductions regularly and correctly devolves upon the drawers of the bills.

14.2. In cases in which the subscription is a percentage on the rate of pay, the subscriber, if in foreign service, should subscribe on the pay drawn by him in foreign service.

14.3. When a subscriber to any Fund whose subscriptions are realised by deduction from pay bills is transferred to another district or audit circle, the fact that he is subscribing to the Fund shall be certified on the last pay certificate by noting thereon the amount of his monthly subscription and the number of his account or policy.

Note.— When a subscriber to the Post Office Insurance Fund is transferred to another Audit Circle notice of transfer should also be given to the Accountant General of the new Audit Circle and to the Director, Postal Life Insurance, Calcutta, through the local Accountant General.

14.4. (1) When a subscriber to a Provident Fund is about to entire and under the rules of the Fund the money lying at his credit becomes payable to him, he should place himself in communication with the Accountant General by whom his Fund account is maintained, giving the date of his retirement and requesting that steps may be taken to close his account and pay him the amount due. The Accountant General being satisfied of the correctness of the claim, and on ascertaining the date up to which the subscription has been paid, will arrange for payment of the amount at credit of the subscriber in the account of his Fund.

[1](2) Bills for final withdrawal from Provident Fund shall be signed and presented, in the case of a gazetted officer by the officer himself, and, in the case of non-gazetted officer by the drawing and disbursing officer of the office concerned, unless the subscriber has in writing opted for receiving the payment at the treasury, in which case the bill shall be signed and presented by the non-gazetted officer himself and for purposes of identification a copy of his specimen signature sent to the Accountant General, alongwith the requisite application for withdrawal of Provident Fund balance shall be forwarded by the Accountant General to the Treasury Officer concerned.

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[1] Rule 14.4(2) inserted *vide* H.P. Govt., F.D., Notification No. 15-4/72-Fin. (R&E)-1, dated the 4th September, 1972.

[1]Note.— So far as the provisions of this Rule relate to preparation, signing and presentation of bills, these will not apply to cases in which an Accountant General makes final payment of the Provident Fund Balances outside his jurisdiction under rule 14.4.

[2]**14.4-A.** When the final payment of the balance at the credit of a subscriber to a Provident Fund is to be made outside the jurisdiction of the Accountant General, who maintains the Provident Fund Account of the subscriber, that Accountant General will, instead of issuing a special seal authority on another Accountant General for arranging the payment, make payment to the payee by a crossed Bank draft. For this purpose, the Accountant General will intimate the amount payable to the payee, and also send a form of receipt to be filled in by him, which is given below. On return of the form of receipt duly signed by the payee, a Bank draft will be purchased by the Accountant General and sent to the payee by registered post.

Received payment of Rs. ....(Rupees ....) only being the accumulation in my..............Provident Fund Account No.

Station.................... Signature......................
Dated...................... Address.......................

Please Pay by Bank draft.

Signature......................
Address.......................

14.5. A detailed list of the subscription realised in cash on behalf of each fund showing the date and amount of each receipt and the name of the person on whose behalf it is paid in, will be submitted by the Treasury Officer with the cash account. This list will be a copy of a register maintained in the treasury.

Note.— An important difference with regard to interest is made between subscription paid by deduction from pay bill and subscription paid in cash, no interest being allowed for the month of payment on cash subscription received after the 4th of the month, whereas subscription deducted from a bill bears interest as though it had been received on the 1st of the month.

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1. Note under Rule 14.4 inserted *vide* H.P. Govt., F.D., Notification No. 15-4/72-Fin.(R&E)-I dated the 4th September, 1972.
2. Rule 14.4-A inserted *vide* H.P. Govt., F.D., Notification No. 15-4/72-Fin. (R&E), dated the 4th September, 1972.

II—PROVIDENT FUNDS

14.6. The detailed rules relating to service and other funds are given in the rules of the Funds concerned.

1. The rule for the General Provident Fund and Contributory Provident Fund are contained in the Himachal Pradesh Civil Service Rules, Volume II.

Note 1.—The following instructions should be carefully observed by Heads of Offices with a view to correct preparation of the Fund schedules referred to in Subsidiary Treasury Rules.

(a) A complete list of subscribers to each fund should be maintained in each disbursing office in the form of the schedule.

(b) Each new subscriber should be brought on this list and any subsequent changes resulting from his transfer or in the rate of subscription, etc., clearly indicated.

(c) Except where it is otherwise provided in the rules of the fund concerned, changes in the monthly rates of subscription will be permissible only from the first of April each year, i.e., with effect from the pay of March drawn in April.

(d) When a subscriber dies, quits the service or is transferred to another office, full particulars should be duly recorded in the list.

(e) In the case of the transfer of a subscriber to another office, the necessary note of transfer should be made in the list of both the offices.

(f) From this list the monthly schedule to be appended to the pay bill should be prepared and agreed with the recoveries made before the submission of the bill to the Treasury for payment.

Note 2.—Money due to Government by a deceased Government servant on account of an advance of pay cannot legally be deducted from any amount standing to the credit of such Government servant in a Provident Fund. *See* also rule 2.47.

Note 3.—It must be distinctly understood that Government of Himachal Pradesh exercises no supervision over the management of Provident Funds other than General Provident Fund and Contributory Provident Fund and is in no way responsible for their solvency.

H.P. GOVT. ORDERS

(1) Printed/cyclostyled G.P.F. Schedules, with G.P.F. Account No. etc. duly printed/cyclostyled therein to be used.— See Decision below Rule 4.19 of H.P. Subsidiary Treasury Rules.

(2) **Separate G.P.F. Schedule to be prepared in respect of subscribers having different departmental prefixes — Names of subscribers in G.P.F. Schedules to be also written in ascending order of account numbers.—** See Decision below Rule 4.19 of H.P. Subsidiary Treasury Rules.

(3) **G.P.F. Schedules - Check list for Drawing Officers.—** See Decision below Rule 4.19 of H.P. Subsidiary Treasury Rules.

(4) **G.P.F. Schedules - Check list for Treasury Officers.—** See Decision below Rule 4.19 of H.P. Subsidiary Treasury Rules.

(5) **Defects in G.P.F. Schedules.—** See Decision below Rule 4.19 of H.P. Subsidiary Treasury Rules.

(6) **Authorisation from A.G. not required for non-refundable advances from G.P.F. .—** See Decision below Rule 4.146 of H.P. Subsidiary Treasury Rules.

(7) **Separate bill to be prepared where the amount of withdrawal/advance from G.P.F. in any individual case is Rs. 10,000 or more.—** I am directed to say that the A.G., H.P. & Chandigarh has pointed out to this department that the Drawing and Disbursing Officers are preparing bills for withdrawing the amount of withdrawals/advances from the Fund irrespective of the number of claimants or amount involved. Sometimes the amount of bill becomes exceptionally heavy.

In order to obviate practical difficulties in audit it is requested that all the drawing and disbursing officers under your control may kindly be advised to ensure that in future a separate bill is prepared when the amount of withdrawal/advance from Fund in any individual case is Rs. 10,000 or more i.e. a separate bill for each item of withdrawal/advance of Rs. 10,000 or more may be prepared.

[H.P.Govt., F.D., letter No. 9-1/69-Fin.Genl.IV, dated the 30th April, 1973]

(8) **G.P.F. advances (temporary/ non-refundable) and other similar claims of gazetted officers on foreign service to be drawn and disbursed by Heads of Offices.—** The undersigned is directed to state that prior to 1-4-77, the date from which the revised procedure regarding drawal and disbursement of pay and allowances etc. of gazetted Govt. servants has been introduced *vide* this department O.M. No. Fin. (C)-A(3)-5/76, dated the 30th Oct., 1976, the claims of General Provident Fund advances (part/final withdrawal) in respect of gazetted officers on foreign service were being authorised by the Accountant General for payment through Treasuries. After the issue of revised procedure, as above, such claims for withdrawal and part/final withdrawal in respect of gazetted officers on foreign service are no longer to be authorised by the Accountant-General for payments. As in the case of non-gazetted officers such claims even in respect of gazetted officers can be preferred in bills drawn by concerned Heads of Offices (who are responsible for maintenance of their service records) on the basis of sanctions of the competent authority and payment made directly to the officers concerned by bank drafts or cheques, as the case may be.

This procedure will apply to all other similar personal claims becoming due to gazetted officers while on foreign service.

[H.P. Govt., F.D., O.M. No. Fin-(C)-A(3)-14/76, dated the 25th July, 1977]

CHAPTER XV

Stores

I—GENERAL RULES

(i) Introductory

Note.— This chapter contains the general rules applicable to all departments regarding stores required for use in public service and in the maintenance of their accounts and other matters ancillary thereto. Detailed rules and instructions relating to the various departments, e.g., Publi Works, Forest, Multipurpose Projects & Power, Jail and Stores Purchase or other departments responsible for or concerned in large purchases, manufactures or consumption of stores are contained in the departmental regulations relating to the departments concerned.

The term "stores" used in this chapter applies generally to all articles and materials purchased or otherwise acquired for the use of department including not only expendable or issuable articles in use or accumulated for specific purposes, but also articles of dead stock of his nature of plant, machinery, instruments, furniture, equipment, fixtures, etc.]

15.1. The departmental officers entrusted with the care, use or consumption of stores are responsible for maintaining correct records and preparing correct returns in respect of the stores entrusted to them. They are also responsible for keeping them in proper custody and in good and efficient condition and for protecting them from deterioration. They should also take proper precautions to prevent loss of public stores by fire or other accidents. Any loss of or damage to Government stores, should forthwith be reported by them to their immediate superiors.

Note.— Expenditure on stores incurred in civil departments is included under contingent expenditure (except where it is treated otherwise, e.g., stores relating to works) and subject to what is provided in the following rules is governed generally by the rules which apply to such expenditure.

(ii) Purchase and acquisition of stores

15.2. (a) Save as provided below, all the purchases of stores for use in the public service, whether of indigenous origin or otherwise, should be regulated in strict conformity with the Stores Rules given in Appendix 10. Subject to the provisions of those rule and other special rules in regard to particular classes of articles mentioned in notes 3 and 4 below rule 8.3 a competent authority may sanction the purchase of stores and other materials required for public service.

Purchase orders should not be split up so as to avoid the necessity for obtaining the sanction of higher authority required with reference to the total amount of the orders.

(b) Purchases must be made in the most economical manner; in accordance with the definite requirements of the public service. When stores are purchased from the open market the system of open competitive tender should, as far as possible, be adopted and the purchase should be made from the lowest tenderer unless there are any special reasons to the contrary which should be recorded in writing. Stores should not be purchased in small quantities. Periodical indents should be prepared and as many articles as possible obtained by means of such indents. At the same time, care should be taken not to purchase stores much in advance of actual requirements, if such purchases are likely to prove unprofitable to Government.

Note.— All the Heads of Departments, Divisional Heads of Departments and District Heads, who are direct demanding officers on the rate contract lists may place their orders for the purchase of the following electrical materials required for use in Government Offices, etc., direct on the firms with whom the Controller of Stores, Himachal Pradesh, has entered into rate contract:–

(1) Florescent Lamp and fittings of all sizes.
(2) Tumbler Switch 5 Amp. one way or two way.
(3) Tumbler Switch 10/15 Amp.
(4) Lamp-holders of the type of pendents batten and brackets, etc.
(5) 3-pin 5 Amp. and 3-pin 10/15 Amp. Plugs and Scokets.
(6) 2-pin 5 Amp. Plug and Sockets.
(7) Ceiling roses and cut-outs,
(8) Electric Table Lamps.
(9) Lamp Locks.
(10) Room Heaters or other heating appliances.
(11) Shades, etc.
(12) Call Bell, Bell Push and Bed-Switch.
(13) Electric Bulbs.

(iii) Sale and disposal of stores and write off of losses of stores.

15.3. Rules for the condemnation and disposal of unserviceable or surplus stores and for the maintenance, repairs and condemnation of cycles in all departments of the Himachal Pradesh State are incorporated as Annexures 'B' and 'C' of this Chapter respectively. The losses thereof, if any, will be written off by the competent authority on the basis of the recommendations of the Board, constituted under the rules contained in Annexures 'B' and 'C'.

Note.— The sale-proceeds of unserviceable furniture in the official residences of the Governor should be credited to the State Revenues and not to the grant for the maintenance and repairs of furniture in Government Houses.

(iv) Receipt of stores.

15.4. (a) All materials received should be examined, counted, measured or weighed, as the case may be, when delivery is taken, and they should be taken in charge by a responsible Government servant who should see that the quantities are correct and their quality good, and record a certificate to this effect. The Government servant receiving the stories should also be required to give a certificate that he has actually received the materials and recorded them in the appropriate stock registers.

(b) At the time of making payment it should be seen that the rates paid are not in excess of those entered in the contract or agreement made for the supply of stores and that suitable notes of payment are recorded against the indents and invoices concerned to prevent double payments.

15.5. Sales to private persons of stores other than those which are found to have become obsolete or unserviceable are regulated by special rules and orders applicable to particular departments. When stock materials are sold to the public or any other department or authority at their full value, a suitable percentage as determined by competent authority should be added to the book value to cover charges on account of supervision, storage and contingencies. This addition may, however, be waived by the officer empowered to sanction the sale in the case of surplus stock which in his opinion would otherwise be unsaleable.

(v) Issue of stores

15.6. When materials are issued from stock for departmental use, manufacture or sale etc., the Government servant in charge of the stores should see that an indent in H.P.F.R. Form 24 has been made by a properly authorised person, examine it carefully with reference to the order or instructions for the issue of stores and sign it, after making suitable alterations under his dated initials in the description and quality of materials. If he is unable to comply with the requisition in full, he should then prepare and sign the form of the invoice attached to the indent according to the supply actually made. The indent should be returned at once to the requisitioning Government servant for signature. When materials are issued, a written acknowledgement should be obtained from the person to whom they are ordered to be delivered or despatched, or from his duly authorised agent. In case of stores issued to a contractor, the cost of which is recoverable from him the acknowledgement should give full particulars of the materials issued including the recovery rates and the total value chargeable to the contractor.

(vi) Transfers of charge of stores

15.7. Special attention should be paid by a Government servant in charge of stores to ensure that in cases of transfers the stores in his charge are made over correctly to his successor and a proper receipt taken from him. This is necessary in order to fix responsibility for the loss of stores on the particular person. Accordingly when a Government servant in direct charge of stores makes over charge to another Government servant a joint transfer report accompanied by the receiving Government servant's receipt for the stores which have been in the custody of the relieved Government servant should be submitted to the next higher authority. If the relieving Government servant fails to bring to notice within a reasonable period any deficiency or defect in stores taken over from his predecessor, he will be held responsible for the same both as to quantity and quality so far as he was in a position to ascertain it.

Every departmental officer is bound to take over charge of departmental stores which, from the death or departure of the person lately in charge or from any other cause, may be left at or near his station without adequate protection.

II—CUSTODY AND ACCOUNTS OF STORES

(i) General

15.8. The Head of an office or any other officer entrusted with stores of any kind should take special care for arranging for their safe custody, for keeping them in good and efficient condition and for protecting them from loss, damage or deterioration. Suitable accommodation should be provided more particularly for valuable and combustible stores. He should maintain suitable accounts and inventories and prepare correct returns in respect of the stores in his charge with a view to preventing losses through theft, accident, fraud or otherwise and to make it possible at any time to check the actual balances with the book balances and the payments made to suppliers, etc. For securing this object it is important that all quantities received in or issued from stores are entered in the stock account strictly in accordance with the rules and in the order of occurrence on dates the transactions take place, so that it should be possible at any time to check the actual balance with the book balances.

15.9. The form of stock accounts mentioned in the preceding rule should be determined with reference to the nature of the stores, the frequency of the transaction and special requirements of each department or office in which they are used. Thus the accounts to be kept for consumable stores like dietary stores in a hospital or jail, of which there are numerous and varied transactions, differ very materially from those to be maintained of the articles of furniture in an office.

15.10. Separate stock accounts or inventories should be kept of--

(1) "Dead Stock" such as plant, machinery, furniture, equipment and fixture; and

(2) "Other Stores" which consist of consumable and perishable articles.

Note.— For the purpose of maintaining accounts it may in some cases be convenient to group articles of stores under different sub-heads, such as small stores, building materials, timber, metals, fuel, printer's stores. etc. Where such sub-heads have been prescribed each article should be shown in the accounts under the respective head.

(ii) Dead Stock

15.11. An inventory of the dead stock should be maintained in all Government offices in a form prescribed by competent authority, showing the number received, the number disposed of (by transfer, sale, loss, etc.), and the balance in hand for each kind of article. The instructions given below should be carefully observed by all concerned:--

(1) The inventory should be priced whenever the items have to enter into the block account maintained for a Government commercial undertaking or the value of the items is necessary in order to enable Government to calculate the charge to be levied upon private persons or bodies. As regards other items, numerical inventory would suffice, except for articles costing above Rs. 25.

Note.— For the purpose of numerical inventory, articles of a similar description such as tables, durries, carpets, etc., should be put into separate categories each category comprising articles of the same measurement and value and manufactured with the same metal or wood or other material .

(2) The inventory should ordinarily be maintained at the site of the dead stock. Whether it is desirable, in any particular case, to depart from this general principal, or to maintain additional consolidated inventories elsewhere, should be decided on the merits of each case.

(3) The inventory should be checked by the head of the department once a year and a certificate of the result of check recorded.

(4) Articles of dead stock should be verified at least once a year and the result of verification recorded on the inventory, All discrepancies noticed must be properly investigated and brought to account immediately so that the inventory may represent the true account.

Note.— The furniture in the official residences of the Governor should be verified in accordance with the regulations given in Annexure A to the chapter.

(5) When articles of dead stock, e.g., tools and plant are lent to local bodies, contractors and others, the hire and other charges as determined under rules prescribed by competent authority, should be recovered regularly.

(6) Government libraries and museums should maintain up to the date catalogues as well as prescribed accounts stock and inventories.

(iii) *Other stores*

15.12. "Other Stores" will governed by the following rules. It is not intended that these rules should replace the detailed stores accounting rules which exist at present in some of the more important departments, which have large stores transactiona, e.g., the Public Works, etc. They are intended to be merely model rules to be applied, with or without modifications, as the circumstances require, at the discretion of the competent administrative authority, in any department, office or institution where no such rules exist at present, or where the existing rules are defective.

15.13. A reliable list, inventory or account of all stores in the custody of Government servants should be maintained, in a form prescribed by the head of the department to enable a ready verification of stores and check of accounts at any time and transactions must be recorded in it as they occur.

15.14. Priced lists, recording both quantities and values, should be maintained in cases where the stores are intended to be converted into money, or where it is desired to distribute their cost over the works, items or objects on which they are actually used.

In such cases, the expenditure on stores must be charged to a stores suspense head in the first instance

15.15. Purely numerical inventories, i.e., recording quantities only, will suffice in cases when the articles are intended solely for the service of the department keeping them and it is not desired to distribute their cost. In such cases, the expenditure on stores must be charged off finally to the service head concerned.

Note.— In some cases, it may be found necessary to show prices and measurement, etc.,–*vide* note below rule 15.11 (1) against some articles, say, when for facility of identification or other reason, it is desirable to distinguish costly articles from cheap articles bearing the same general description otherwise. Such articles should not be treated as priced articles if the requirements of this rule are otherwise satisfied.

15.16. The lists, inventories or accounts of stores should in all cases, be subject to such internal check as may be prescribed by the head of the department, whether or not they are subject to any check, by the Accountant General.

15.17. A physical verification of all stores should be made at least once in every year under rules prescribed by the Head of the Department, and subject to the condition that the verification is not entrusted to a person—

(i) who is the custodian, the ledger-keeper, or the accountant of the stores to be verified, or who is a nominee of, or is employed under the custodian, the ledger-keeper or the accountant; or

(ii) who is not conversant with the classification, nomenclature and technique of the particular classes of stores to be verified.

The verification should never be left to low-paid subordinates, and in the case of large and important stores, it should be, as far as possible, entrusted to a responsible Government servant who is independent of the superior executive officer in charge of the stores.

A certificate of verification of stores with its results should be recorded on the list, inventory or account, as the case may be, where such a verification is carried out.

15.18. In making a physical verification, the following instructions should invariably be observed:–

(a) verification must always be made in the presence of the Government servant responsible for the custody of the stores or of a responsible person deputed by him;

(b) all discrepancies noticed should be properly investigated and brought to account immediately, so that the stores account may represent the true state of the stores; and

(c) shortages and damages, as well as unserviceable stores, should be reported immediately, to the authority competent to write off the loss (*vide* rule 15.3).

15.19. Balances of stores should not be held in excess of the requirements of a reasonable period or in excess of any prescribed maximum limit. In order to ensure the observance of this rule, a periodical inspection should be made by a responsible Government servant, who must submit a report of surplus, unserviceable and obsolete stores to the authority competent to issue orders for their disposal (*vide* rule 15.3). The inspection should, unless there be good reason to the contrary, be made six monthly in the case of perishable stores, and once a year in the case of other stores. Stores remaining in stock for over a year should be considered surplus unless there is any good reason to treat them otherwise.

15.20. Where a priced inventory is maintained, it is essential that the values recorded therein shall not be materially in excess of the market value of the stores. The Head of the Department concerned must issue instructions to govern:–

(a) the fixation of prices with reasonable accuracy;

(b) the periodical review and revision of rates; and

(c) the agency to be employed in periodical revaluation.

Note.— The "market value" of an article, for this purpose means the cost per unit at which the article, or an article of a similar description, can be procured at a given time at the stores godown from some suitable public markets. It should be inclusive of carriage and incidental charges, and may even include a reasonable provision for wastage, breakage and depreciation, when these are inevitable.

15.21. (a) All profits and losses due to revaluation, stock-taking or other causes should be duly recorded and adjusted where necessary. Formal sanction of the competent authority (*vide* rule 15.3), should be obtained in respect of losses, even though no formal correction or adjustment of accounts is involved.

(b) Losses due to depreciation should be analysed and recorded under the following heads, according as they are due to:

(1) normal fluctuation of market prices;

(2) fair wear and tear;

(3) lack of foresight in regulating purchases; and

(4) neglect after purchase.

(c) Losses not due to depreciation should be grouped under the following heads :–

(1) Losses due to theft or fraud;

(2) Losses due to neglect on the part of Government servants;

(3) Losses due to an act of God and other calamities such as fire, enemy action, etc.;

(4) Anticipated losses on account of surplusage of obsolete stores or of purchases in excess of requirements; and

(5) Other losses due to damage, etc.

III—AUDIT OF ACCOUNTS OF STORES AND STOCK

15.22. Where the audit of stores and stock accounts of any department of Government is entrusted to the Comptroller and Auditor General, it is conducted in accordance with regulations given below:

Regulations for the conduct of the Audit of Stores and Stock Accounts

1. The audit of stores accounts kept in any office or department of Government shall be directed to ascertaining that the departmental regulations governing purchase, receipt and issue, custody, condemnation, sale and stock-taking of stores are well devised and properly carried into effect, and to bring to the notice of the Government any important deficiencies in quantities of stores held or any grave defects in the system of control.

2. As regards purchases of stores, audit will see that--

(i) these are properly sanctioned, are made economically and in accordance with the rules or orders made by competent authority for purchase of stores required for the public service in particular when stores are purchased from contractors the system of open competitive tender is adopted and the purchase is made from the lowest tenderers unless there are recorded reasons to the contrary;

(ii) the rates paid agree with those shown in the contract or agreement made for the supply of stores;

(iii) certificates of quality and quantity are furnished by the passing and receiving officers before payment is made except where the contrary is allowed by the rules of Government regulating purchase of stores; and

(iv) purchase orders have not been split up so as to avoid the necessity of obtaining the sanction of higher authority required with reference to the total amount of the orders.

Audit should call attention to cases of uneconomical purchases of stores and to any losses, which may be clearly and definitely attributed to the defective or inferior nature of stores which were accepted and certified to be satisfactory in quality.

3. Audit should ascertain that the accounts of receipts of stores whether purchased, or otherwise obtained, and of their issues and balances are correctly maintained. Where a scale has been prescribed by Government or

other authority for issue of stores of any particular kind, it should be seen that the scale is not exceeded.

4. Stores, in many cases, represent a locking up of capital, which is not justifiable unless essential. In order to effect economy in this direction Audit will see that the balance in hand does not exceed the maximum limit prescribed by competent authority and is not in excess of requirements for a reasonable period.

5. The accounting for and maintenance of unserviceable stores which cannot be utilised by the department in whose custody they are kept, involve waste of labour and space. The retention of stores in excess of the probable requirements of the department in the near future may result in loss to Government through deterioration. Audit will, therefore, see that measures are taken to survey, segregate and consider the disposal of unserviceable surplus and obsolete stores in accordance with the procedure prescribed by Government in this behalf.

6. It is an important function of Audit to ascertain that the articles are counted periodically and otherwise examined to verify the accuracy of the quantity balances in the books. Audit shall not, except when specially authorised to do so, assume responsibility for the physical verification of stores, but it has the right to investigate balances of stores, if any discrepancies in the stores accounts suggest that such action is necessary. Audit has, however, to see that a certificate of verification of stores is recorded periodically by a responsible authority, that the system of verification adopted by the executive is adequate and proper, that discrepancies found on stock-taking are properly investigated and adjusted and that, wherever possible, the staff responsible for the verification is independent of the staff which is responsible for the physical custody of the stock or for keeping accounts of it. It should also be seen that, wherever practicable, verifiers of stock work directly under the control of Government, and not under the heads of individual departments.

7. Where a priced account is maintained, Audit will see that--

(i) the stores are priced with reasonable accuracy and the rates initially fixed are reviewed from time to time, are corrected with market rates and revised where necessary;

(ii) the value accounts tally with the accounts of works and of departments connected with stores transactions, that the total of the valued account tallies with the outstanding amount in the general accounts, and that the numerical balance of stock materials is reconcilable with the total of value balances in the accounts at the rates applicable to the various classes of stores; and

(iii) steps are taken for the adjustment of profits or losses due to revaluation, stock-taking, or other causes, and that these are not indicative of any serious disregard of rules.

8. The procedure for the conduct of audit of any stores and stock accounts and the extent to which those accounts should be examined by audit will be such as may be agreed upon between the Government and the Accountant General.

9. The procedure prescribed by the Comptroller and Auditor General for raising and pursuance of audit objections in relation to expenditure shall generally apply in respect of audit objections on any accounts of stores and stock. Where necessary, separate rules of procedure shall be laid down by the Accountant General with the concurrence of Government.

H.P. GOVT. ORDERS

(1) Periodical checks and inspections of stores and offices.— It was observed during the course of discussions in the meeting of the State Vigilance Committee that the Departments concerned do not apply necessary checks to plug loop-holes in the Departmental rules and regulations which lead to corrupt practices. I am accordingly desired to request you please to ensure periodical checks and inspections of the stores and offices under your supervision as provided in the existing rules/instructions. The Committee also stressed that the Heads of Departments should comply with the directions issued in this behalf from time to time promptly and strictly failing which entries in their annual C.Rs. will be made accordingly.

2. It has further been desired by the Committee that the Departments concerned should scrutinise properly their Acts/Rules with a view to plug loops-holes in the effort to eradicate corruption and submit a report to the Vigilance Department of the action taken by them in this behalf.

3. The receipt of this letter may please be acknowledged.

[H.P. Govt., Personnel Deptt. (Vigilance), letter No. 6-1/72-GIG, dated the 30th June, 1973]

(2) Submission of Store Account to Audit Office.— (a) I am directed to say that the Public Accounts Committee in its Sixteenth Report (1971-72), *vide* paragraphs 12, 19 and 62, has made certain observations regarding preparation of Store Accounts of various departments for inclusion in the Audit Report. The matter was taken up with the Accountant General, Himachal Pradesh so as to ascertain the procedure for the compliance of store accounts. The A.G. has now intimated *vide* his letter No. OA (Civil)/72-73/Store Accounts/7798-99 dated the 22nd February, 1973 (copy enclosed for ready reference) that the names of Departments/offices where total value of stores (excluding dead stock items) does not fall below Rs. 5 lakhs are to be reflected in the synoptic statement of stores notwithstanding the fact whether purchases are made centrally by Heads of Departments for these offices or for distribution to subordinate offices, or made by the Heads of Offices themselves. Accordingly, the names of the Departments/offices where total value of stores (excluding dead stock items) had not fallen below Rs. 5 lakhs in the year 1972-73 should be sent to the Audit Office by the end of June 1973 so that local audit of these stores may be conducted by that office before the end of September 1973. In respect of ~~Deptts.~~ where such stock is maintained by the heads of offices, a copy of the audited statement of stores shall be forwarded by the head of the office concerned to his Head of Department to enable the latter to compile a consolidated statement for the department as a whole and to send the same to the Audit Office by the end of October 1973 after incorporating the figures of stores in respect of his office for the purpose of Audit Report. The proforma on which such information is to be compiled for the purpose of audit is enclosed *(Not reproduced)*.

In case your Department or any office under your control is having stores of the value prescribed above, it may kindly be ensured that the requisite information is sent to Audit Office by the 25th July, positively (under intimation to the Finance Department) so that necessary arrangements are made by the Audit Office to conduct the audit of such stores well in time.

The matter may kindly be given top priority and the receipt of this communication may kindly be acknowledged.

[*H.P. Govt., F.D., letter No. 10-5/73 Fin. (Genl.), dated the 9th July, 1973*]

(b) Kindly refer to your D.O. letter No. 7-4/78, dated 16th August, 1979 to the Accountant General regarding preparation and submission of the Annual Store Accounts for the purpose of inclusion in the Audit Report.

The time schedule for the preparation and submission of the Annual Store Accounts already stands prescribed in the H.P. Government, Finance (General) Department letter No. 10-5/73 Fin (Gen) dated 9-7-1973. In accordance with these instructions the names of the departments/offices where total value of stores (excluding dead stock items) has not fallen below Rs. 5 lakhs are to be intimated to the Audit Office latest by the and of June every year. This office is, thereafter, required to undertake local audit of the Store Accounts maintained in the offices reported on, by end of September. The consolidation of the Store Accounts, will them have to be done by the heads of departments (with reference to the audited statements). These consolidated Store Accounts are required to be sent to this office positively by the end of October every year. You will realise that the finalisation of the Store Accounts in time for the Audit Report solely depends on the timely receipt of the Store Accounts from the departments. In case the above schedule is not adhered to strictly by the department, the finalisation of the Audit Report in time would be affected resulting in the adverse comments by the office of the Comptroller & Auditor-General of India.

[*A.G., H.P., D.O. letter No. DA/Civil/Store Accounts/79-80/3119, dated the 31st August, 1979 to a Head of Department in H.P. - Extract*].

(3) Old and worthless vehicles, machinery and stores to be condemned and disposed of without delay.— (a) Similarly, it was also observed that cases of condemnation of old and worthless vehicles/machinery and stores, etc. be dealt with promptitude so as to ensure that such old vehicles/stores are condemned and disposed of without the least delay.

In view of the position explained above, I am to request you to issue suitable instructions to all officers under you to take care of the Government instructions in the matter and thus avoid audit objections etc.

Receipt of this letter may kindly be acknowledged.

[*Extract from H.P. Gvot., F.D., letter No. Fin (D) (D) 5 (a) 3-1/81, dated the 28th August, 1981*]

(b) It has come to the notice of the Government that due attention is not being paid by the Departments to condemn and auction the old vehicles in time. As a result, many vehicles can be seen lying parked on the roads for months together. This not only results in further wear and tear of the Government vehicles and thereby causing loss of revenue to the State Government when auctioned but also it has become a traffic hazard. Besides, it gives a very bad impression about the Government property getting damaged/worn in this manner.

There is an urgent need for taking steps by the Departments to condemn and auction the old vehicles in a time bound manner and it must be ensured that no old vehicle is parked on the road(s) for condemnation/auction.

[*Extract from H.P. Govt., G.A..D., letter No. GAD-A(C)15-30/93-Vol. II, dated the 5th May, 1977*]

(4) Government servants not to bid at auctions arranged by their own Departments.— See Order below Rule 2.10 of this Compilation.

(5) Constitution of Condemnation Board for condemnation/disposal of stores (whose book value exceeds Rs. 10,000) in respect of offices at State Headquarters.— (a) In terms of Rule 6 Annexure 'B' to rule 15.3 of the H.P. Financial Rules, 1971, Vol. I, permanent Condemnation Board is constituted as under:–

1.	Controller of Stores, Himachal Pradesh	or his authorised representative
2.	Chief Engineer, HPPWD (North), Shimla	-do-
3.	Inspector General of Police, Shimla	-do-
4.	District Magistrate	-do-
5.	Respective Head of Department	-do-

2. The quorum for the Board shall be of three members.

3. The Board shall not normally meet more than twice a year for condemning unserviceable and surplus stores of the same office.

4. The date for the meeting of the Board shall be fixed by the concerned department after consulting the members of the Board.

5. The particulars of unserviceable/surplus stores to be condemned shall be supplied to the members of Board well in advance on the proforma prescribed as Annexure I to Rule 3 of Annexure 'B' of the aforesaid Rules.

6. All unserviceable or surplus stores shall be collected at a suitable place and concerned officers of the Department be instructed to produce the same for inspection of the Board on the date fixed for the purpose.

7. The Board shall on inspection, decide whether any of the stores submitted for condemnation, are to be declared surplus or should be condemned or can be utilised after proper repairs and shall record their decision in writing.

8. The stores which are declared surplus by the Board be transferred to any other Department subject to payment of the price as may be fixed by the Board. The concerned Department will circulate the list of such stores to all Heads of Departments who may exercise their option to purchase at the price so fixed, within a period of two months. In the event of non-receipt of any reply for the purchase of such stores from any Head of Department the same will be disposed of by the Head of Department or Controller of Stores as the case may be.

9. The Board shall fix reserve price and also the percentage of reserve price upto which bid should be accepted while putting the condemned stores for auction or inviting tenders for the same.

10. The stores as are condemned by the Board will be put for auction by the concerned Head of Department or his nominee in the presence of representative of Controller of Stores provided the reserve price of such stores fixed by the Board does not exceed Rs. 10,000.

11. Where reserve price of the condemned stores fixed by the Board exceeds Rs. 10,000 the Head of Department, will refer the case to the Controller of Stores for disposal alongwith particulars of stores on the prescribed proforma referred to above and a copy of the proceedings of the Board.

12. The Heads of the Departments shall also obtain the sanction of the competent authority for the disposal of condemned stores.

13. In view of this letter, Heads of Departments need not write to the undersigned for constitution of Condemnation Board in each individual case. This letter is in supersession of all previous orders on the subject.

[*Controller of Stores, H.P., letter No. Ind(SP) (Disposal) F (6-5) 26/76, dated the 19 th July, 1977*]

(b) I am to inform you that in the Condemnation Board and auction of condemned stores, the Controller of Stores, H.P. will be represented by the following officers of the District/Area concerned:

1. Project Officer-cum-Distt. Industries Officer, Shimla, H.P.
2. District Industries Officer, Solan Distt., Solan, H.P.
3. District Industries Officer, Sirmour Distt., Nahan.
4. District Industries Officer, Bilaspur Distt., Bilaspur.
5. District Industries Officer. Hamirpur Distt., Hamirpur, H.P.
6. District Industries Officer, Una Distt., Una, H.P.
7. District Industries Officer, Kangra at Dharamsala, H.P.
8. Project Officer, Rural Industries Project, Palampur, H.P.
9. District Industries Officer, Mandi Distt., Mandi, H.P.
10. Project Officer, Rural Industrial Project, Chamba, H.P.
11. District Industries Officer, Kulu Distt., Kulu, H.P.
12. Assistant District Industries Officer, Lahaul & Spiti Distt., Keylong.

The dates for meeting of Condemnation Board/auction may please be intimated well in time direct to above-mentioned officers.

[Controller of Stores, H.P., letter No. Ind (SP) (Disposal) F-(6-5) 26/76, dated the 16th May, 1977]

(c) इस कार्यालय से समसंख्यक दिनांक 16–5–1997 के सन्दर्भ में आपको सूचित किया जाता है कि प्रत्येक जिला में नये जिला औद्योगिक केन्द्रों की स्थापना होने के कारण जिला उद्योग अधिकारियों के पदों पर महाप्रबन्धक की नियुक्तियां कर दी गई है अतः अब जिला उद्योग अधिकारियों के स्थान पर नियंत्रक भन्डार के प्रतिनिधि महाप्रबन्धक, जिला औद्योगिक केन्द्रों के होंगे जो कि कण्डमनेशन बोर्ड की बैठक/निलामी के लिए बुलाई बैठकों में भाग लेंगे। जब आप कण्डमनेशन बोर्ड की बैठक/निलामी की तिथि तथा समय निर्धारित करें तो उपरोक्त अधिकारी को भी अवगत कराएं ताकि ये अधिकारी उसमें भाग ले सकें।

[Additional Controller of Stores, H.P., O.M. No. Ind. (SP) (Disposal) F-(6-5)26/76, dated the 26th July, 1979]

(d) I am to say that it has been observed that many heads of offices in various Departments of the Pradesh approach this office for the purpose. Of constituting Condemnation Board for disposal of unserviceable vehicles or other articles of stores or for the purpose of deputing our representative to attend meetings of the Board convened by them. In this connection, I am to point out that the Condemnation Board stands duly constituted *vide* this office letter of even number dated 19th July, 1977. Moreover, in accordance with the instructions contained in this office letter of even number dated 26-7-79 the General Manager, District Industries Centre of the respective district has to attend such meetings. Therefore, the question of making references to this office of the type described above does not arise. In order, therefore, to eliminate avoidable correspondence in this behalf and to ensure speedy disposal of such correspondence, I am to request you kindly to issue instructions to all heads of offices working under your control to take necessary action in the matter in accordance with the instructions referred to above. In the case of offices located within the municipal limits of Shimla Municipal Corporation, however, a representative of this office would be deputed and, therefore, the heads of such offices will take up the matter with the undersigned.

It has also been observed that some of the heads of offices are disposing of condemned articles of stores by public auction even when the reserved price fixed for the condemned vehicle by the Board or other articles of stores condemned by it, exceeds Rs. 10,000. In this connection I am to invite your attention to this office letter of even number dated 26-3-77 according to which when the reserved/assessed price of condemned stores/vehicle has been fixed by the Condemnation Board exceeds Rs. 10,000, the case has to be referred to this office for taking further action in the matter in accordance with the prescribed procedure. A copy of these instructions is also enclosed with the request that these may also kindly be emphasised on all the heads of offices working under your control for being followed meticulously.

Kindly acknowledged receipt.

[Controller of Stores, H.P., letter No. Ind (SP) (Disposal) F (6-5) 26/76, dated the 12th August, 1981]

(6) Constitution of District level Board for condemnation/disposal of stores whose book value exceeds Rs. 10,000.— Under Rule 15.3 read with Annexure B of HPFR Vol. I, all stores whose book value exceeds Rs. 10,000 can only be recommended for condemnation/disposal by a Board to be constituted by the Controller of Stores. All members of the Board as laid down in Rule 7 of the Rules for the Condemnation and Disposal of Un-serviceable or Surplus Stores are State level officers except the representative of the District Magistrate and of the Department and the Board is supposed to meet twice a year. This procedure is defective because it is not possible for the Board to visit within reasonable time all the places in the District where the unserviceable/surplus stores are kept so as to recommend its condemnation/disposal. This way either the stores keep accumulating in various offices and deteriorate in value or sanction for writing off/disposal thereof is accorded without any recommendations of the Board which is irregular.

2. The matter has been engaging attention of the Government for some time past. After careful consideration of the matter, the Governor, Himachal Pradesh is pleased to order that henceforth there shall be a District level Board for each District for recommending condemnation/disposal of the stores, to be headed by the District Magisrate (D.C.) concerned or his representative not below the rank of the A.D.M. in whose jurisdiction such stores exist and these stores are required to be put for examination of the Board. The other 3 members of the District level Board shall be nominated by the Dy. Commissioner concerned from amongst the following:–

Genl. Manager, Distt. Ind. Cente.
XEN, B & R
XEN, IPH
SP or his representative not below the rank of D.S.P.
D.A.O.
C.M.O.
D.E.O.
R.M., H.R.T.C.
D.F.O

3. The fifth member shall be the District level officer of the concerned department whose stores are to put up for examination before the Board.

4. The Governor, Himachal Pradesh is further pleased to order that for the condemnation of stores in respect of the offices at the State Headquarters, the existing procedure shall remain in force.

5. In the case of Distt. level Board, the Dy. Commissioner concerned or his representative will discharge the function as assigned to the Controller of Stores under rules 6, 16 & 18 for the Condemnation and Disposal of the Unserviceable or Surplus Stores.

[H.P. Govt., F.D., O.M. No. Fin (C)-A-(3)-2/81, dated the 16th June, 1988]

(7) The term "stores" includes vehicles – Constitution of separate Board for condemnation of departmental vehicles not considered necessary.— With reference to your letter No. 19-10/69-Tpts, dated the 17th January, 1974 on the subject noted above, I am directed to say that Rules 6 & 7 of the Rules for Condemnation and Disposal of Unserviceable or Surplus Stores as contained in Annexure 'B' to Chapter 15 of the Himachal Pradesh Financial Rules, 1971 are quire clear. Rule 6 thereof provides that on reciept of the prescribed statement from the Head of Department, the Controller of Stores will constitute a Board for condemnation and disposal of all unserviceable or surplus stores. The manner in which the Board is to be constituted is prescribed in Rule 7. The term "stores" also covers vehicles. It is considered that it is not necessary to constitute a separate board for the purpose exclusively for departmental vehicles not belonging to the Transport Department.

[H.P. Govt., F.D., O.M. No. 1-5/71-Fin (Reg.). dated the 25th February, 1974]

(8) Delegation of powers for disposal by public auction of vehicles/machinery/stores condemned by the Condemnation Board.— (a) With reference to your letter No. Ind. (SP) (Disposal) F. (6-5)1/76, dated 21-10-76 on the subject cited above, I am directed to convey the approval of the Governor, Himachal Pradesh to authorising the Heads of Departments to dispose of by public auction, in the presence of a representative of Stores Purchase Organisation, the condemned vehicles/machineries, in respect of which the reserve price/depreciated value fixed/assessed by the Condemnation Board constituted/to be constituted by the competent authority does not exceed Rs. 10,000 (Rupees ten thousand).

2. This issues with the Finance Department concurrence *vide* their diary No. 391-1/7/72-Fin. (Reg.), dated 15-2-77.

[H.P. Govt., Industries Deptt., letter No.6-15/73-SI (Sanctions), dated the 1st March, 1977]

(b) With reference to your letter No. Ind. (SP) (Disposal) F. (6-5)-26/76, dated the 3rd November, 1981, on the subject cited above, I am directed to convey the approval of the Governor, Himachal Pradesh to the enhancement of limit Rs. 10,000 (Rupees ten thousand only) to Rs. 15,000 (Rupees fifteen thousand only) as earlier fixed *vide* this Department letter of even number dated 1-3-1977.

2. This issues with the Finance Departmental concurrence obtained *vide* their diary No. 2164-Fin. (C)-A(3)-2/81, dated 17-11-1981.

[H.P. Govt., Industries Deptt., letter No. 6-15/73-SI, dated the 13th January, 1982 to Controller of Stores, H.P. Shimla and copies endorsed to all the Heads of Departments, Secretaries/Jt.. Secys/Under Secys., A.G., etc.]

(c) I am directed to refer to your letter No. Ind. (SPI) Disposal/F (6-5) 26/76, dated the 28th June, 1985, on the above noted subject and to say that the Governor, Himachal Pradesh is pleased to enhance the limit of Rs. 15,00 (Rupees Fifteen thousand only) to Rs. 25,000 (Rupees Twenty five thousand only) in respect of condemned vehicles, the reserve price of which has been fixed/assessed by the Condemnation Board as such, as earlier fixed by this Department letter of even number dated 13-1-1982.

2. The Governor, Himachal Pradesh is further pleased to allow all the Heads of Departments in H.P./Autonomous Bodies/Boards in Himachal Pradesh to dispose of by Public Auction, such machineries/stores, in presence of representative of Controller of Stores, H.P. in respect of which the reserve price/depreciated value, fixed/assessed by the Condemnation Board does not excee rupees 40,000/- (Rupees forty thousand only).

3. This issues with the concurrence of the Finance Department, H.P. obtained *vide* their U.O. No. Fin. (C)-A(3)-2/81, dated the 23rd July, 1985.

[*H.P. Govt., Industries Deptt., letter No. 6-15/73-51 (II), dated the 11th November, 1985 to Controller of Stores, H.P., Shimla with copies to others*]

(9) Sanction for write off under rule 19.16 required only where stores are missing (as in case of fire, theft, etc.) - Where stores are bodily present, order under Rule 19.15 declaring them as unserviceable, obsolete or surplus and directing the mode of their disposal (after obtaining the orders of Condemnation Board where the book value exceeds Rs. 10,000) would suffice – Procedure for disposal of unserviceable, obsolete or surplus stores.— (a) The undersigned is directed to state that with reference to the provision of rule 15.3 read with rule 19.16 of the HIMACHAL PRADESH FINANCIAL RULES, 1971, Volume I, the question of laying down procedure which should be followed in cases of disposal of unserviceable, obsolete, or surplus stores was receiving attention of the Government for some time past. The Governor, Himachal Pradesh has accordingly been pleased to decided that the following procedure should be followed in dealing with such cases :—

(i) Whenever stores become unserviceable, obsolete or surplus they should be declared as such and disposed of under the orders of an authority competent to sanction the write off of a loss caused by deficiencies and depreciation equivalent to their value. The powers of the various authorities for sanctioning write off of losses on account of deficiency or depreciation in the value of stores are give in rule 19.16 of the HIMACHAL PRADESH FINANCIAL RUELS, 1971, Volume I. This procedure should be followed both in cases of normal wear and tear as well as in cases where wear and tear may be held to be abnormal. The authority competent to order disposal should take into account the circumstances in which stores have become unserviceable , obsolete or surplus. Where the competent authority holds that stores have become unserviceable, obsolete or surplus owing to normal wear and tear, no question of loss arises. Where the competent authority holds that stores have become unserviceable, obsolete or surplus owing to negligence, fraud, etc., on the part of individual Government employee, it will be necessary to fix the responsibility for the loss and to devise remedial measures to prevent recurrence of such cases. In either case, the order of the competent authority declaring the stores in question as unserviceable, obsolete or surplus and directing the mode in which they should be disposed of would be sufficient, to cover the loss to Government, if any, and no separate sanction for the write off of the loss will be necessary. A formal survey report in the forms 'A' and 'B' enclosed should, however, be prepared in all such cases.

(ii) Each order declaring stores as unserviceable, obsolete or surplus should indicate the causes leading to the stores having become unserviceable, obsolete or surplus. A copy of each such order should be endorsed by the competent authority to the Audit in accordance with the procedure prescribed in rule 18.5 of the HIMACHAL PRADESH FINANCIAL RULES, 1971, VOULME I.

(iii) It will be seen from clause (i) above that a sanction for write off of loss would not be necessary where the stores are bodily present. It is only in such cases where the stores are missing (as in case of fire, theft, etc.) that formal sanction for write off of losses will be necessary.

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(iv) The term 'value of store' for the purpose of issue of sanction for disposal of unserviceable, obsolete or surplus stores/write off of loss of stores should be taken as (a) the book value where priced accounts are maintained, and (b) the replacement value, i.e, market value (at the time of issue of sanction for the disposal/write off) of a new article of similar nature, where no priced accounts are maintained. The sale proceeds of unserviceable, obsolete or surplus stores should not be taken into account for determining the value of the stores for the purposes of issue of sanction for the disposal of stores as this amount is to be treated as a Miscellaneous Receipt of the department concerned.

(v) All stores which may be declared as unserviceable, obsolete or surplus and ordered to be disposed of as indicated in clause (i) above shall be physically disposed of by sale or otherwise, as may be specified by the competent authority in the order itself.

2. This Governor, Himachal Pradesh, has further been pleased to order that the following procedure should invariably be followed by all officers entrusted with the disposal of unserviceable, obsolete and surplus stores:--

(i) Where the articles are sold by public auction, the Head of Office or any other gazetted officer should invariably attend the auction and record the final bids.

(ii) The Head of Office or any other gazetted officer should also be present when the articles sold are released, his presence being most essential when the release of the articles takes place some time after the auction or when it involves processes such as weighment, etc.

(iii) A report of surplus stores for disposal should be prepared in Form 'A' as referred to in clause (i) of para 1 above. This report should be signed by the Head of Office or other gazetted officer after satisfying that all the surplus stores have been correctly included in the surplus report.

(iv) a sale account should also be prepared in Form 'B' quoted in clause (i) of para 1 above. The sale account should be signed by the officer who supervised the auction after comparing the entries made in the sale account with the report of surplus stores. If the articles are released in the presence of an officer other than the one who supervised the auction, the entries in column 9 of the sale account should be attested by dated signature of such officer.

3. It has also been decided that the procedure already laid down for disposal of unserviceable, obsolete and surplus stores *vide* ANNEXURE 'B' to Chapter XV of the HIMACHAL PRADESH FINANCIAL RULES, 1971, VOLUME. I, shall continue.

[*H.P. Govt., F.D., O.M., No. 1-7/72-Fin. (Reg.), dated the 3rd April, 1976*]

FORM 'A'

Report of surplus stores for disposal

Item No.	Particulars of stores	Quantity/ weight	Book value/ original purchase price	Condition & year of purchase	Mode of disposal (sale, public auction or otherwise)	Remarks
1	2	3	4	5	6	7

Signature:

Designation :

Date:

FORM 'B'

Sale Account

Item No.	Particulars of store	Quantity/ weight	Name and full address of purchaser	Highest bid accepted	Highest bid rejected	E.M. realised on the spot
1	2	3	4	5	6	7

Date on which the complete amount is realised and credited into treasury	Whether the articles were actually handed over on the spot. If not, the actual date of handing over of the articles with quantities.	Auctioneer's commission and acknowledgement for its payment.
8	9	10

Signature:

Designation:

Date:

(b) With reference to your letter No. HIPA (S & S) 60/79, dated the 5th June, 1982, on the subject noted above I am directed to state that presumption is not correct. While issuing the procedure as contained in this Department's circular No. 1-7/72-Fin. (Reg.), dated the 3rd April, 1976, we have followed the procedure which was laid down by the Govt. of Punjab in July, 1963, whose pattern has been followed in formulating the H.P. Financial Rules. Powers to write off stores and other losses have been defined in Rule 19.16 of the H.P. Financial Rules.

2. So far as writing off of the losses by depreciation and deficiency equivalent to their value and irrecoverable value of stores or public money lost by fraud or the negligence of an individual are concerned, the provisions of Rule 19.16 will continue to be applicable. That delegation does not cover cases of normal wear and tear. As for declaration of the stores as unserviceable, obsolete or surplus and disposal thereof, the provisions of rule 19.15 read with para 2 of the guidelines laid down in circular of the 3rd April, 1976 shall be applicable.

3. Regarding the point raised about the implication of note 1 below rule 4 of the Rules for the Condemnation and Disposal of Unserviceable or Surplus Stores, it is made clear that where the book value of the stores does not exceed the monetary limits specified therein the articles are to be disposed of directly by the Heads of Offices/Departments after the same have been declared as unserviceable or obsolete and exceeding the prescribed limits, articles are to be disposed of under the orders of the board constituted for the purpose.

[*H.P. Govt. F.D., letter No. Fin. (C) B (7)-72/80, dated the 17th February, 1983 to the address of Director, HIPA, Fairlawn, Shimla*]

ANNEXURE 'A'

[*Referred to* in note below rule 15.11 (4)]

The administration of the furniture grants of the official residences of the Governor, Himachal Pradesh, including the up-keep of a stock list and the purchase, repair and maintenance of furniture shall be conducted by the Secretary who would furnish the Accountant General, Himachal Pradesh, with an annual certificate of verification in the form given below. During the second and fourth year of the incumbency of the Governor and at least once in every three years the certificate of verification should be countersigned by a gazetted officer of the Public Works Department in token of his joint responsibility for the actual verification.

Form of Certificate of Verification

"Certified that all furniture in Raj Bhawan has been inspected and checked with stock lists maintained. I am satisfied (i) that all new supplies up to date have been correctly brought on the stock lists, (ii) that the stock lists are correct in all respects, (iii) that the articles in stock agree with the stock lists, (iv) that the sale proceeds have been properly accounted for, and (v) that sanction of competent authority exists for writing off all articles struck off the stock lists."

ANNEXURE 'B'

(*Referred to* in Rule 15.3)

1. These rules may be called Rules for the Condemnation and Disposal of Unserviceable or Surplus Stores.

2. Definitions:--

(a) 'Board' means the Condemnation Board appointed by the Himachal Pradesh Government under these rules.

(b) 'Indenting Officer' includes officers of the Himachal Pradesh State who are authorised to place the indents on the Himachal Pradesh Stores Department and all other Drawing and Disbursing Officers.

(c) 'Prescribed date' means 1st July each year.

(d) 'Stores' includes all kinds of stores including machinery and hardware articles which are purchased through the Himachal Pradesh Stores Department or otherwise.

(e) 'Surplus stores' means stores including machinery which though in good and serviceable condition, are not required in practical use by any Department of the State.

(f) 'Unserviceable stores' means stores which are considered unfit for use by any Department of the State.

3. (i) All Heads of Departments in the State should forward to the Controller of Stores, Himachal Pradesh, twice each year by the prescribed date, a consolidated statement of unserviceable or surplus stores in the form prescribed in Appendix I. The Indenting Officers in the State should forward the particulars of these stores to their respective heads of departments a month in advance of the prescribed date.

(ii) While intimating the surplus stores to the Controller of Stores, the Head of Department will give a certificate that the surplus stores are not required by any of the offices under his control.

4. No stores whose books value is more than Rs. 10,000 shall hereafter be condemned or disposed of except under order of Board constituted for the purpose under those rules.

Note.— (i) Stores whose book value is not more than Rs. 10,000 and Rs. 100 rendered unserviceable may be condemned or disposed of by the Heads of Departments/District Heads of offices of the Department concerned, respectively.

(ii) Officers concerned shall ensure that they or their subordinates do not split up the material.

(iii) In respect of unserviceable stores whose book value exceeds Rs. 5,000 but does not exceed Rs. 10,000 which are condemned or disposed of by the Heads of Departments, a report should be sent to the Finance and Vigilance Departments, for information, within a week of condemning the stores.

(iv) The Himachal Pradesh Transport are exempt from the operation of these rules.

(5) **All stores other than those covered by the provisions of note (i) below rule 4 *ibid* which are considered surplus or unserviceable with any department shall not be transferred or sold without reference to the Boad.**

(6) **On receipt of the prescribed statement from the Heads of Departments the Controller of Stores, Himachal Pradesh, will constitute a Board for condemnation and disposal of all unserviceable or surplus stores.**

(7) **The Board shall consist of five members. Three of these will be nominated out of the following officers of whom one shall be Controller of Stores, or his nominee. The fourth member will be nominated by the department concerned :--**

(1) Controller of Stores.
(2) Chief Engineer (I), Public Works Department.
(3) Chief Engineer (II), Public Works Department.
(4) Chief Engineer, Multipurpose Projects and Power Department.
(5) Inspector General of Police.
(6) Inspector General of Prisons.
(7) Director of Agriculture.
(8) Director of Industries.
(9) Director of Education.
(10) Director of Health Services.
(11) Commissioner of Transport and Tourism.
(12) Chief Conservator of Forests.

The fifth member will be nominated by the District Magistrate of the district where the meeting for declaration of condemned or surplus stores is to be held.

8. The officers mentioned in rule 7 may either attend the meeting personally or depute a representative.

9. The quorum for the Board shall be three members.

10. The Board shall meet twice every year on such date and place as may be fixed by the Controller of Stores, Himachal Pradesh.

11. The notice for the meeting shall be given to the members fifteen days in advance.

12. All unserviceable or surplus stores shall be collected at a suitable place and the officers of the departments concerned will be instructed well in advance, to produce them for inspection of the Board on the date fixed for the purpose.

13. The Board shall on inspection by itself or an officer authorised by it, decide whether any of the stores submitted for condemnation, are to be declared surplus or should be condemned or can be utilised after proper repairs and shall record their decision in writing.

14. The stores which are declared surplus by the Board may be transferred to any other department subject to payment of the price as may be fixed by the Board. The Controller of Stores, will circulate the list of such stores to all heads of departments who may exercise their option of purchase at the price so fixed, within a period of two months. In the event of non-receipt of any reply for the purchase of such stores from any Head of Department, the same will be sold by the Head of Department, or his responsible nominee in the presence of a representative of the Controller of Stores by public auction to the highest bidder subject to a reserve price if any fixed by the Board. The Board is to fix the reserve price and also to fix the percentage of reserve price up to which bids should be accepted by the committee.

Example.— Suppose the reserve price of stores is fixed by the Board at Rs. 500 and percentage for accepting bids is fixed by the Board up to 90 per cent, the committee would be competent to dispose of stores at 10 per cent below reserved price, i.e., Rs. 450 and not below this limit although higher offer would be welcome.

15. If the Board consider that any of the stores can be utilised after proper repairs, they will be sent to the nearest Government manufactory such as Jail, Work centres of Vocational Training Centre, Government Workshop or may be repaired locally whichever method is considered suitable.

16. The stores as are condemned by the Board will be put up for auction by Board or by the Head of the Department or his nominee in the presence of the representative of the Controller of Stores, Himachal Pradesh, immediately thereafter and sold to the highest bidder.

17. Sale proceeds of condemned or surplus stores will be credited to Government in the following manner:--

(i) Sales proceeds of condemned or surplus stores belonging to the Commercial Departments will be credited to the receipt head of account of the department concerned.

(ii) Sales proceeds of all condemned stores in case of Public Works and Multipurpose Projects & Power Departments will be credited to the head 'Deduct Receipts and Recoveries on Capital Account' if the expenditure incurred on acquisition was charged to Capital outlay otherwise to the revenue head concerned. The sale proceeds of the stores purchased at the cost of local bodies should be credited to the relevant estimate for the deposit work from which the original cost had been met.

(iii) Sales-proceeds of condemned stores relating to all departments other than Public Works and Multipurpose Projects and Power Departments and Commercial Departments if not effected within the accounts of the year in which the expenditure was incurred should be treated as 'receipt' of the Department to which the stores belong. The sale-proceeds of stores on which expenditure had been incurred during the same year in which they are disposed of are to be accounted for in reduction of expenditure of the department concerned.

18. A copy of the proceedings of the Board will be forwarded by the Controller of Stores, to the State Government, and relevant extract to the Department to which the stores belong. On receipt of the copy of the proceedings the department concerned will take immediate steps for implementing the decisions of the Board and inform its respective officers the action taken in connection with their stores whether condemned, declared surplus, or to be sent to the nearest Government manufactory for repairs.

19. The State Government may appoint one or more auctioneers on fixed percentage of commission for the sale of stores, declared surplus or unserviceable by the Board. The sale will be arranged in presence of an official nominee of the Controller of Stores and while 25 per cent of the accepted bid should be paid at spot, full payment of the balance shall be made within a period of one month from the date, subject to confirmation of the sale by the Controller of Stores. In case the purchaser fails to pay up the whole amount within this

period 25 per cent of the accepted bid will automatically stand forfeited and the stores will again be put to auction. This rule will not be applicable where the sale value of surplus stores is less than Rs. 5,000 in which case the full price shall be paid at the fall of hammer.

Note.— The bidder should not be allowed to remove either whole or in part stores purchased by him until he has paid in full amount of his bid.

20. Any dispute relating to the sale of these stores will be referred to the Government in the Industries Department through Controller of Stores, whose decision shall be final and binding both for the department as also the purchaser.

21. Where the book value of stores is Rs. 10,000 or more the sale will be effected by the Himachal Pradesh Stores Department by inviting open tenders and not by public auction subject to the approval of State Government.

Appendix 'I'

(Referred to in Rule 3 of the Condemnation of Articles of Stores)

REPORT OF SURPLUS OR UNSERVICEABLE STORES FOR CONDEMNATION OR DISPOSAL

Name of officer to be contacted.......................................Location of Stores........................... Owning Authority..

Serial No.	Particulars of Stores	Quantity	Weight	Date of purchase	Book Value	Present condition	Head of account to which disposal proceeds should be credited	Head of account to which the price of the articles was debited at the time of purchase	Why such stores were intended for by the department when the same were not actually needed for use on the work	REMARKS
1	2	3	4	5	6	7	8	9	10	11

No................. Dated..................

Forwarded in triplicate to the Controller of Stores, Himachal Pradesh, Shimla. This form has been filled in, in accordance with the instructions on the reverse.

Station..

Signature of Reporting Officer.

(For use in Controller of Stores Office Disposal Section)

1. Date of receipt...
2. Serial No. ....
3. Included for meeting fixed for..
4. Remarks by Stores Inspection Officer

   ....
5. Orders of the Board..

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INSTRUCTIONS

1. Separate reports should be prepared for each cover items of similar type.

2. Rate and book values should always be reported. If value is not known then the column should be filled with either of the following—'Not known' or 'Will be intimated later on'. This column must not be left blank on any account.

3. In the case of textiles in the column 'Condition' also be stated the matter of packing and the finish stores.

4. In column 4 weight may be expressed in tons or maunds or kilograms or fractions thereof.

5. Head of account to which the disposal proceeds shall be credited should be stated in detail, viz., the major, minor and detailed head of account should be clearly stated to avoid misclassification.

ANNEXURE 'C'

(*Referred to* in Rule 15.3)

1. These rules will be called 'Rules for Maintenance, Repairs and Condemnation of Cycles' in Government Departments.

Note.— The Department of Police will be exempted from the operation of these rules.

2. A separate stock register of cycles should be maintained in every State Government office. In April each year a proper stock taking of the cycles should be done and result of verification of the stock in hand, should be noted in the column provided for the purpose.

3. The following information should invariably be entered in the stock register and certified by the senior gazetted officer:--

(i) Number and make of cycle.

(ii) Date of purchase.

(iii) Original price.

(iv) Amount spent on repairs giving date on which each repair was made and the new parts placed stating cost of new tyres, tubes or other component parts.

(v) Whether the cycle has been constantly in use for official purpose.

(vi) Condition of the cycle.

(vii) Any other information in connection with cycle as may be of use.

4. Cycles purchased for Government use should be marked with an engraved metal label.—

(a) Government property for official use only.

(b) District Court, Institution or the name of Government office.

5. The cycle should be put under the charge of a senior official not below the rank of the Office Superintendent or the Head Clerk who will be responsible for its proper maintenance and unkeep.

6. Repairs should be attended to promptly and the expenditure on minor repairs should not exceed Rs. 15 on each cycle, during each year except in case of replacement of component parts, tyres and tubes. Tyres and tubes

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should have a minimum life of one year except in extraordinary circumstances when a special sanction of Government in the Industries Department should be sought.

7. The minimum life for cycles is fixed as 5 years.

8. Whenever any cycle is considered unfit for use and requires heavy repairs a report should be made to the Head of the Office who will constitute a Condemnation Board consisting of one senior gazetted officer and the Office Superintendent or Head Clerk. This Board will examine the condition of the cycle and if it is found beyond repairs and unfit for use, it should be condemned forthwith. Whenever a Head of the Office happens to be a non-gazetted officer, he/she shall report to his/her controlling officer who shall constitute a Condemnation Board.

9. The condemned cycles should be auctioned by the head of office within a month from the date of condemnation and price realised therefrom should be credited in the receipt head of the department concerned.

10. A complete report about the condemnation and sale of cycles, should be sent for information to the Head of the Department within a fortnight from the date of condemnation.

11. The purchase of a new cycle to replace the condemned one will be sanctioned by the Head of the Department on receipt of report from the Condemnation Board. Heads of Departments are allowed to sanction hiring of cycles for one month from the date of auction of condemned cycles.

CHAPTER XVI

Works

I—INTRODUCTORY

16.1. (a) The execution of works, other than those in the Forest Department and those in connection with the buildings under the administrative control of the civil departments using them, is mainly carried out by the Public Works Department, and is regulated by the rules in the Financial Handbook No. 3 (Departmental Financial Rules relating to Public Works and Forest Departments), Public Works Department Code and Account Code, Volume III.

Note.— The authorities competent to accord administrative approval to works executed by the Public Works Department and to accord technical sanctions are given in Chapter IX and X of the Departmental Financial Rules.

(b) A competent authority may, subject to such restrictions as it may think fit to impose, assign to the departmental officers concerned the execution of petty works in connection with the buildings under the administrative control of the Public Works Department.

(c) The Forest Department executes its own works instead of entrusting them to the agency of the Public Works Department. Such works are provided for in the Forest Department budget and the detailed rules regarding the preparation of plans and estimates and the maintenance of accounts are contained in the Himachal Pradesh Forest Manual.

16.2. A constructional work of which the estimated cost is to exceed Rs. 10,000 should not be entrusted for execution to outside firms or contractors by departments other than the Public Works Department without previously consulting the Finance Department. Furthermore, when it is considered expedient for some special reasons, that such a work appertaining to a department other than the Public Works Department should be carried out by a departmental agency, the Public Works Department should be given an opportunity of advising whether the proposed course is desirable or not.

It is also necessary that there should be some provision for the more careful scrutiny and examination of the contracts and agreements for works, the estimated cost of which exceeds Rs. 10,000 and which are to be entrusted for execution to outside firms or contractors by departments other than the Public Works Department before they are finally executed. Accordingly, all such contracts (and agreements to make contracts) should also be seen in the Finance Department. That department will see that legal and professional advice is taken.

Note.— This rule does not apply to works, the cost of which does not exceed Rs. 10,000 and for which certain heads of departments have the power to execute themselves. In respect of such works the contracts and agreements need not be sent to the Finance Department.

II—WORKS EXECUTED BY CIVIL OFFICERS

(a) *Classification*

16.3. The following principles govern the incidence of expenditure on the execution by civil officers of works; petty construction and repairs. *See* also Article 33 of Account Code, Volume I :—

I. When the building is under the administrative control of the Public Works Department and no assignment to the civil department using it has been made.	The entire expenditure is debited to the grant of the Public Works Department under the major head concerned
II. When the building is under the administrative control of the Public Works Department and an assignment has been made to the civil department using it.	The expenditure is treated as "Works" expenditure of the civil department concerned.
III. When the building is under the administrative control of the department using it.	The expenditure is treated as "Works" expenditure of the civil department concerned.

(b) *Procedure for the execution of works and the incurring of expenditure*

Note.— Subject to any general or special rule or order of Government to the contrary, the term "administrative control" as applied to works implies *inter alia* the assumption of full responsibility for the construction, maintenance and up-keep of buildings and other works and the provision of funds for the execution of those functions.

16.4. Expenditure on works falling under class I of rule 16.3 is generally governed by the rules of the Public Works Department and the civil officers act merely as agents of the Public Works Department.

16.5. (a) In respect of work falling under class II of rule 16.3 both the administration and execution devolve upon the officers of the civil department concerned and the forms and procedure relating to expenditure on such works are determined by the Accountant General generally on the principles underlying the Public Works system as prescribed in Account Code, Volume III, and Financial Handbook No. 3 (Departmental Financial Rules relating to the Public Works and Forest Departments). For similar transactions of the Public Works

Department, *see* Article 4 of Account Code, Volume III. The guiding principles laid down by the Accountant General on the subject are given in Appendix 17.

Note.— The actual procedure followed by the various departments in respect of works assigned to them is given in the Departmental rules or orders of the Department concerned.

(b) For every work, a properly detailed design and estimate should be prepared and administrative approval and technical sanction of the competent authority obtained.

Note.— Administrative approval for petty works and repairs is not required except in cases definitely prescribed in rule 19.12.

16.6. In the case of expenditure falling under class III of rule 16.3 when the expenditure is Rs. 2,500 or less the general procedure to be followed and the forms to be used in connection therewith will be those that are adopted in the case of contingent charges. As regards the works costing more than Rs. 2,500 the procedure relating to works expenditure in the Public Works Department is generally adopted by civil officers.

III—PUBLIC BUILDINGS AND LANDS

16.7. (a) No public building may be purchased or sold or dismantled except with the sanction of the competent authority.

Detailed rules regarding fixtures and furniture in public buildings, purchase and sale of Government buildings, hire of office accommodation, use of Government buildings by the Auxiliary Force, register of buildings and residences for Government servants, as given in the Public Works Department Code and the Financial Handbook No. 3 (Departmental Financial Rules relating to the Public Works and Forest Departments) in respect of the buildings maintained by that department, apply *mutatis mutandis* to the buildings maintained departmentally by other departments.

(b) Any Government land or other immovable property can be sold or made over to a local authority for public, religious, educational or any other purpose only with the sanction of the competent authority.

Detailed rules for the sale and acquisition of land are given in the Public Works Department Code, and in Appendix 14 to this Handbook.

(c) When any land or building is transferred from one department to another under the Himachal Pradesh Government the transfer shall be free of charge. When land and buildings are transferred from or to a commercial department of the Himachal Pradesh Government, if the land or buildings are valued in the books, the book value or the market value, whichever is less, shall be charged; in other cases, no amount shall be charged.

H.P. GOVT. ORDERS

(1) Classification of works as Major Works and Minor Works debitable to Capital and Revenue respectively.— The undersigned is directed to say that in pursuance of the Second Report of the Team set up by the Government of India on the Reforms in the Structure of Budget and Accounts, the Government of H.P. have adopted the limit of Rs. 1 lakh for classification of works as 'Major Works' and debiting the expenditure in respect thereof to Capital Account and the works costing less than Rs. 1 lakh to be treated as 'Minor Works' and debiting the expenditure thereto to revenue account. The classification of works on this basis has been done in the Budget Estimate for 1974-75.

Accordingly the above procedure for adopting the limit for classification of works as Major/Minor Works may please be followed by all the departments in Himachal Pradesh w.e.f. 1-4-1974.

[*H.P. Govt., F.D., O.M. No. 1-2/72-Fin. (Reg.), dated the 29th April, 1974*]

(1-A) Waiving off departmental charges on works under certain schemes.— (a) I have been directed to convey the decision of the Government to waive off departmental charges on the following three categories of programmes:–

1. Works under local district planning;
2. Works under Vikas-Main-Jan Sahyog;
3. Works under decentralised planning (relating to 5 % earmarking).

In view of the above decision of the Government I have also been directed to clarify that in future departmental charges by the departments of P.W.D. and I.P.H. or H.P.S.E.B. shall not be charged on the above three categories of works.

I have also been directed to clarify that in respect of works other than three categories as quoted above, the departmental charges shall continue to be levied as per instructions already in force.

[*H.P. Govt., F.D., letter No. Fin-F-IC (17) 1/94, dated the 11th November, 1994*]

(b) In continuation of this department letter of even number dated 11-11-1994, on the subject cited above I am to say that the MPLAD scheme introduced for implementation as a centrally sponsored scheme by the Ministry of Planning and Programme Implementation, Government of India from the year 1993-94 onwards shall also be included for waiving off departmental charges in future.

The schemes under which departmental charges shall not be levied by concerned departments such as PWD/IPH/HPSEB, etc. shall now read as follows:–

1. Works under local district planning;
2. Works under Vikas-Main-Jan Sahyog;
3. Works under de-centralised planning (relating to 5 % earmarking); and
4. MPLAD scheme

In respect of works under schemes other than those referred to above the departmental charges shall continue to be levied as per instructions already in force.

[H.P. Govt., F.D., letter No. Fin-F-1C (17) 1/94, dated the 6th February, 1996]

(c) In continuation of this Department letters of even number dated the 11th November, 1994 and 6th February, 1996 on the subject cited above, I am to say that the Government has decided to waive off departmental charges for works under "Backward Area Sub-Plan".

The schemes under which departmental charges shall not be levied by concerned departments such as PWD/IPH/HPSEB etc. shall now read as follows:–

1. Works under local district planning;
2. Works under Vikas-Main-Jan Sahyog;
3. Works under decentralised planning (relating to 5 % earmarking);
4. MPLAD scheme; and
5. Backward Area Sub Plan.

In respect of works under schemes other than those referred to above the departmental charges shall continue to be levied as per instructions already in force.

[H.P. Govt., F.D., letter No. Fin-F-1C (17) 1/94, dated the 31st Janury, 1997]

(2) Adoption of low cost designs and innovations to curtail cost of construction of Government buildings.— I am directed to say that there is utmost need for economy in Government expenditure. One of the fields in which economy could be made relates to construction of Government buildings. As far as possible local material should be used, consistent with functional utility and soundness of structure, specification should be adopted which would lead to economy in expenditure. The latest low cost designs and innovations to curtail cost should be adopted. Similarly in case of furniture and fixtures, the main consideration should be utility and efficiency rather the appearances. The real economy will be only possible if a conscientious effort is made to curtail unnecessary expenditure at all levels, especially by those in the design offices. I am, therefore, to request that you may kindly issue necessary suitable instructions to all field offices for strict compliance under intimation to this Department.

[H.P. Govt., F.D., letter No. Fin. 1C (14) 1/81, dated the 14 th June, 1982 to Secretaries (PWD) and (Housing) to H.P. Govt.]

(3) Environmental clearance and in case of diversion of forest land, clearance under Forest Conservation Act.— It has been decided that henceforth the following types of projects would not require environmental clearance from the Ministry of Environment and Forests:—

(a) Project for construction of godowns and silos of the Food Corporation of India and others unless they are located close to ecologically fragile areas such as National parks/Sanctuaries/Wildlife habitat, areas of outstanding natural beauty or historical/heritage areas, high altitude regions or regions where such activity may result in building of roads or other infrastructural facilities in fragile areas, near to

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residential colonies or the traffic generated due to such godowns adds to congostion or results in air pollution as in the case of the metropolises/periphery of urban centres or areas which may be notified as such.

(b) If there is a need for diversion of forest land, appropriate forest clearance under Forest Conservation Act, of 1980 should be obtained.

(c) Project for renovation/modernisation of TV/AIR Studios, Computer Assembly Units and Electronic Relay System/Assembly Units installation for Broadcating within the existing premises.

[G.I., Ministry of Environment and Forests, Order No. J-19011/7/92-IA-II, dated the 27th August, 1992, circulated vide H.P. Govt., S.T. & E Deptt., letter No. STV (Env) J (1) 6/92, dated the 19th November, 1992]

(4) Approval of construction plans from Town and Country Planning Department.— It is brought to your notice that all construction undertaken on behalf of Central Government, State Government as well as of Semi-Government in various planning areas of the State, require prior approval of the Town & Country Planning Department under Section 28 and 29 of H.P. Town & Country Planning Act, 1977.

It has been observed by the department that such permissions are not being obtained by the respective departments. For ensuring planned development such permission is statutorily essential. For obtaining the planning permission from the Department of Town & Country Planning, regulations of the Interim Development Plans/Development Plans of the respective planning areas may be consulted. In case of any problem, you can freely have consultations from the local offices of the department. The Town & Country Planning Act has been extended to number of important planning areas of the State and the department has its offices located at District/local levels. You are, therefore, requested to approach those offices for obtaining planning permission.

Any development in planning areas without prior approval of the department will amount to un-authorised construction and may attract legal action under Section 38 and 39 of H.P. town & Country Planning Act., 1977.

[H.P. Govt., T. & C.P. Deptt., letter No. TCP -F(6)-13/96, dated the 31st May, 1996]

(5) Mandatory installation of Solar Water Heating System in all functional Government/Corporation buildings.— The Council of Ministers, in its meeting of 5th August, 1995 has approved the mandatory installation of Solar Water Heating System in all the functional Government buildings such as Hospitals, Hotels, Guest Houses, Police Department, Canteens, Research Laboratories, Schools/Colleges and other institutions where requirement of hot water is continuous and substantial expenditure on running and maintenance of electrical Heating System is incurred.

In pursuance of this decision Government hereby orders that all the Departments and Corporations engaged in construction of buildings will make provision for solar water heating systems in all functional Government buildings including the residential buildings where electrical water heating system is intended to form an integral part of the estimates for the concerned buildings. These Solar Water Heating Systems shall be installed and maintained by

HIMURJA (H.P. Government Energy Development Agency) for which required budget will be provided by the concerned Departments and Corporations who will deposit the installation and maintenance costs with HIMURJA.

[H.P. Govt., S.T. & E. Deptt., Notification No. EDN (S & T) A(4) 5/94, dated the 8th September, 1995]

(6) **Purchase of Computer Systems - Execution of civil and electrical works on deposit work basis.**—See Order (26) below Rule 8.4 in this Compilation.

(7) **Transfer of Government land - Execution of lease deeds.**— I am directed to sy that in the past the Government transferred some land to the Himachal Prdesh University, Shimla, H.P.S.E.B., Mineral and Industrial Development Corporation, Paonta Sahib, Himachal Pradesh State Small Industries and Export Corporation, Chambaghat etc. but the lease deeds/ lease money in respect of these lands have not been executed/ realised though these bodies are in possession of Govt. lands in industrial areas. There may be some more cases which have not yet come to light.

2. The Public Accounts Committee has taken a serious view as due to non-execution of lease deeds/non-payment of lease money (including premium and annual rent) the Government has incurred loss of registration fee and stamp duty in addition to lease money. The possession of the land should not be handed over by the Department without the execution of lease deeds under the rules.

3. I am, therefore, to request you kindly to look into the matter and get the lease deeds executed and recovery of lease money effected, if any and intimation sent to this Department.

This may kindly be given your personal attention.

[H.P. Govt., Revenue Deptt., letter No. Rev-D (C) 14-1/82, dated the 5th May, 1984]

(8) **Security clearance/verification of antecedents of workers from outside the State of Himchal Pradesh.**— The threat perceptions arising from the recent incident wherein some militants were arrested from major project site in the State of Himchal Pradesh have been reviewed by the State Government and it has been decided that :—

1. In future, all employers wanting to employ labourers/workmen from outside the State of Himchal Pradesh shall be required to obtain a security clearance from the Superintendent of Police of the district in which the labourers/workmen are employed. The Superintendent of Police may obtain verification of antecedents from the State of domicile of such workers as he thinks necessary.

2. The procedure prescribed in the preceding para shall also apply to all workers/labourers from outside the State who are already employed in the State as on the date of issue of this order. The process of verification/clearance in respect of such workers shall be completed within two months. It shall be obligatory for all contractors/Project authorities to ensure that all workers/labourers employed by them have had the antecedents verified from the competent authority. Any lapse on the part of the contractors/employers will attract strict action.

3. **For the workers belonging to the State of Jammu & Kashmir, the Deputy Inspector General of Police (C. I. D.), C.I. Jammu & Kashmir , Jammu has agreed to act as a nodal agency, so all references should be made to his office.**

[H.P. Givt., Home Deptt., Order No. Home (A) A(9) 35/94, dated the 2nd June, 1994]

CHAPTER XVII

Budget

I—INTRODUCTORY

17.1. Detailed rules defining the responsibility of laying down the procedure for the preparation of budget estimates, prescribing the forms of the estimates and of grants relating to powers of re-appropriation; control over expenditure; and other budget matters generally appear in Himachal Pradesh Budget Manual.

II-APPROPRIATION OF FUNDS NECESSARY TO MAKE SANCTIONS TO EXPENDITURE EFFECTIVE

17.2. Sanction to the expenditure of money becomes operative only when funds have been appropriated to meet such expenditure and does not become operative until they have been so appropriated.

There are, thus, two elements necessary before public money can be spent on any object or work:–

(1) There must be an act of sanction of an authority competent to sanction.

(2) There must be an act of appropriation of funds for the purpose by an authority competent to appropriate.

17.3. Sanction to recurring expenditure covering a specified period becomes operative when funds are appropriated to meet the expenditure of the first year, and remains in operation till the end of the specified period subject to appropriation in each year.

17.4. In dealing with recurring expenditure disbursing officers must not only take the precautions indicated in rules 17.2 and 17.6 to 17.11 below as regards its initiation, but also those indicated in rule 17.3 as regard its close. Sanction to recurring expenditure terminates—

(a) With the expiry of its specified term whether continuously or in broken periods; disbursing and controlling officers are, therefore, responsible for maintaining a check register of recurring temporary sanctions, showing when each expires.

(b) When funds are no longer appropriated.

Note below Rule 17.2 deleted *vide* H.P. Govt., F.D., Notification No. Fin(C)-A(9)-1/80, dated the 3 rd June, 1985.

17.5. It follows from the foregoing rules—

(a) that it is not sufficient merely to have sanction of competent authority to the expenditure; for example the entertainment of a clerk may be sanctioned from the 1st April next, but he must not be entertained until the budget has been passed and the requisite funds communicated;

(b) that it is not enough merely to have funds for a specific item of expenditure (such as the entertainment of a clerk passed in the budget). The expenditure must also be sanctioned by competent authority.

III—COMMUNICATION OF BUDGET ALLOTMENTS

17.6. The act of appropriation of funds requires the communication of the budget allotment or supplementary allotments or re-appropriation in the manner laid down in the Himachal Pradesh Budget Manual.

No appropriation is conveyed merely by the inclusion of an item of expenditure in the revised estimates.

IV—INDICATION OF SOURCE OF APPROPRIATION IN THE SANCTION TO EXPENDITURE

17.7. Authorities which sanction expenditure after funds have been communicated should be careful to indicate the source of appropriation.

In all applications for sanction to expenditure, it should be distinctly stated whether provision for the proposed charges has or has not been made in the budget estimates of the year, and if it has not been made, whether the funds can be found by valid re-appropriation.

Note.— The authority sanctioning the expenditure should indicate the head of account to which the expenditure is debitable, before communicating the sanction to the Accountant General.

H.P. GOVT. ORDER

(1) Prevention of mis-classification of expenditure in Government Accounts.— It has come to the notice of the Government that expenditure figures are in some cases mis-classified in accounts. The main reasons therefor are:–

(a) The sanctions which are issued by the departments do not indicate complete head of account;

(b) No proper reconciliation is done for reconciling the figures of expenditure booked by the department and those maintained in the office of the Sr. Deputy Accountant General (A & E), H.P.

All the departments are requested that while issuing sanctions, they should give complete head of account by showing clearly major head, minor head, sub-head and standard object of expenditure. It should also be indicated alongwith the head of account whether the expenditure is plan expenditure or non-plan expenditure or under State scheme or Centrally sponsored scheme.

The need of proper and regular reconciliation of departmental figures of expenditure with those booked in the office of the Sr. Deputy Accountant General (A & E), H.P. needs no emphasis. Numerous instructions have been issued on the subject and the Chief Secretary in various meetings has also emphasised for regular and timely reconciliation of expenditure. Most of the discrepancies in the accounts will be eliminated if reconciliation is done regularly, timely and accurately.

I am to request you kindly to issue instructions to all the Drawing and Disbursing Officers under your control accordingly.

Endorsement

1. Copy forwarded to the Director of Treasury and Accounts for information. He may kindly direct all the Treasury Officers to ensure before passing any bill that complete description of head of account as above has been filled in the bill presented at the Treasury/Sub-Treasury.

2. Copy forwarded to the Accountant General, H.P. & Chandigarh, Shimla-3 for information and necessary action. He is requested kindly to order the booking of accounts in accordance with the proper heads of accounts where the expenditure are debitable so that it could facilitate proper reconciliation work of expenditure figures.

3. Copy forwarded to the Senior Deputy Accountant General (A & E), Himachal Pradesh, Shimla, for favour of information and similar action please.

4. Copy forwarded for necessary action to all Section Officers of Finance Department, H.P. Secretariat.

[*H.P. Govt., F.D., letter No. Fin. 2.C (11) 20/85, dated the 8th April, 1987 to all Heads of Deptts. etc. and copy to Director of Treasury & Accounts, H.P., etc.*]

17.8. Where it is desired to sanction expenditure before funds have been communicated, as may be necessary in order to avoid delay in starting work at the beginning of a new financial year or to prevent duplication of orders, the authority which does so should be careful to add the words "subject to funds being communicated in the budget of the year..................".

17.9. If a Government servant receives a sanction to expenditure which does not either indicate the source of appropriation or state that the sanction is subject to appropriation it is his duty to refer the case back for orders.

17.10. Vague expressions such as "subject to budget provision" should be carefully avoided in conveying sanctions to expenditure. It is necessary to 'provide' for expenditure in the budget, but to do so conveys no guarantee that it will be 'provided' in the sense that it will be granted.

V—APPLICATION FOR SANCTION TO EXPENDITURE

17.11. In all applications for sanction to expenditure, it should be distinctly stated whether provision for the proposed charge, has or has not been made in the budget estimates of year; and if it has not been made, whether the funds can be found by re-appropriation.

VI—INCURRING OF EXPENDITURE IN ANTICIPATION OF FUNDS

17.12. In the event of orders communicating the allotment of funds not being received before the commencement of the financial year, disbursing officers may authorities expenditure in anticipation of funds on pay and other charges, on the basis of that incurred in the last month of the preceding year.

Note 1.—This relaxation should not be regarded as a relaxation of the rules contained in paragraph 8.5 of the Himachal Pradesh Budget Manual under which the Heads of Departments are required to carry out the distribution of the grant not letter than the 1st May in each year.

Note 2.—For rules regarding the incurring of expenditure in the Public Works and Multipurpose Projects and Power and Forest Departments in anticipation of funds, *see* Financial Handbook No.3 (Departmental Financial Rules relating to these departments).

VII—EXPENDITURE NOT PROVIDED FOR

17.13. No expenditure which is likely to involve an excess over the grant, authorised by the Legislature, can be incurred in anticipation of their approval. Similarly, no expenditure can be incurred on any "New Service" without the specific vote of the Legislature. With a view, however, to financing "unforeseen expenditure", "Contingency Fund" has been established. The rules governing this fund are contained in Annexure to this chapter.

As laid down in the Contingency Fund Rules, advances from the fund shall be made for meeting unforeseen expenditure only including expenditure on "New Service" and not to cover normal excesses under the sub-heads of grants. Thus, the advances will only be justified mainly on the score of the security of the State and on equally cogent grounds and advances from the fund will not be made to supply departmental budgetary omissions.

H.P. GOVT. ORDERS

(1) Purposes for which advances from Contingency Fund of the State are usually asked for and sanctioned.— I am directed to refer to the subject noted above and to say that advances out of the Contingency Fund of the State are often asked for and sanctioned by the Finance Department to enable the various departments to pay decretal charges or for taking up implementation of a 'New Service' for the reason that budget provision for such items does not exist in the regular sanctioned budget of the Department for the year. Such advances are subsequently recouped through Supplementary Demand for Grants with the approval of the State Legislative Assembly.

[Extract from para 1 of H.P. Govt., F.D., O.M. No. Fin. A-C(11) 1/88, dated the 7th June, 1988, complete text of which has been reproduced as Order (6) in the Annexure to this Chapter]

(2) Definition of "New Service".— See para 2.29 of H.P. Budget Manual.

(3) Any sum required to satisfy any judgement decree or award of any court or arbitral tribunal is "Charged Expenditure" and not "Voted Expenditure".— See Appendix 'B' of H.P. Budget Manual.

VIII—INCURRING OF EXPENDITURE IN EXCESS OF THE PROVISIONS IN THE ESTIMATES

17.14. No Government servant, may without previously obtaining an extra appropriation, incur expenditure in excess of the amount provided for expenditure under the heads concerned and when a Government servant exceeds the annual appropriation he may be held responsible for the excess.

Note.— Money allotments are made to controlling officers for the stationery requirements of their own offices and of the offices subordinate to them. Only the authority to whom power may be delegated is competent to sanction any re-appropriation necessary to cover expenditure to be incurred in excess of these allotments.

IX—INEVITABLE PAYMENTS AND GENERAL RULES FOR PAYMENTS AGAINST SANCTIONED GRANTS

17.15. An appropriation is intended to cover all the charges including the liabilities of past years, to be paid during the year or to be adjusted in the accounts of it. It is operative until the close of the financial year. Any upspent balance lapses and is not available for utilisation in the following year.

Note.— The financial year closes on the 31st March. After that date, all cash and stock transactions are treated as pertaining to the following year, but *bona fide* transfer entries are permissible for some months.

17.16. It is an important financial principle that money indisputably payable, should not, as far as possible, be left unpaid and that money paid should under no circumstances be kept out of accounts a day longer than is absolutely necessary, even though the payment is not covered by proper sanction. It is no economy to postpone inevitable payment even for the purpose of avoiding an excess over a grant or appropriation and it is very important to ascertain, liquidate and record the payment of all obligations at the earliest possible date.

Note.— When demands (original or supplementary) are placed before the Legislature suitable provision should always be made for anticipated liabilities. Under the direction contained in the Account Code, Volume IV. inter-departmental and other adjustments are not to be made in the accounts of the past year, if they could not have been reasonably anticipated in time for funds being obtained from the proper authority. In all cases, where the adjustment could have reasonably been anticipated as, for example, recurring payment to another Government or departments, and payments which though, not of fixed amount, are of a fixed character, etc., the Accountant General will automatically make the adjustments in the accounts before they are finally closed. The provisions of the directions referred to above that adjustment should not be made in the previous year's accounts should not be used as a cloak to conceal the results of defective budgeting. The onus of proving that the disbursements could not have reasonably been anticipated should lie on the controlling officer.

17.17. Under no circumstances may charges incurred be allowed to stand over to be paid from the grant of another year [*vide* 2.10 (b) (3)]. If possible, expenditure should be postponed till the preparation of a new budget has given opportunity of making provision, and till the sanction of that budget has supplied means; but on no account may charges be actually incurred in one year and thrown on the grant of another year.

17.18. It is also not permissible to draw advances from the treasury—*vide* rule 2.10 (5) to prevent the lapse of appropriations.

X—PROVISION FOR EXPENDITURE IN RESPECT OF A WORK UNDERTAKEN BY ONE DEPARTMENT ON BEHALF OF ANOTHER

17.19. The department responsible for providing the funds should intimate to the department undertaking the work the sanctioned grant within which the expenditure is to be incurred and the department incurring the expenditure should be made responsible for seeing not only that the grant is not exceeded, but also that any anticipated savings therein are notified and surrendered in time. In cases where an excess is anticipated the department incurring the expenditure should be held responsible for seeing that the grant for the work is appropriately increased by the employing department before the excess is actually incurred.

ANNEXURE

(*Referred to* in rule 17.13)

Under section 6 of the Himachal Pradesh Contingency Fund Act, 1971, the Himachal Pradesh Government are pleased to issue the following rules governing the said fund:--

1. These rules may be called the Contingency Fund of Himachal Pradesh Rules, 1971.

2. In these rules unless the context otherwise provides—

(i) "Finance Department" means the Finance Department of the Government of Himachal Pradesh;

(ii) "Legislative Assembly" means the Legislative Assembly of the State of Himachal Pradesh.

3. The Contingency Fund of Himachal Pradesh shall be held by the Governor of Himachal Pradesh and shall be administered on behalf of and in the name of the Governor of Himachal Pradesh by the Secretary to Government of Himachal Pradesh, Finance Department.

4. Advances from the Fund shall be made for the purpose of meeting unforeseen expenditure only.

5. All applications for advances from the Fund shall be made by the Administrative Departments to the Finance Department after obtaining the approval of the Minister-in-charge. The application shall give—

(i) brief particulars of the additional expenditure involved;
(ii) the circumstances under which provision could not be included in the Budget;
(iii) why its postponement is not possible;
(iv) the amount required to be advanced from the Fund with full cost of the proposal for the year or part of the year as the case may be; and
(v) the grant or appropriation under which supplementary provision will eventually have to be obtained.

6. If, in any case, after the order sanctioning an advance from the Contingency Fund has been issued in accordance with rule 4 and before action is taken in accordance with rule 8, it is found that the advance sanctioned will remain wholly or partly unutilised, an application shall be made to the sanctioning authority for cancelling or modifying the sanction, as the case may be.

7. A copy of the order sanctioning the advance, which shall specify the amount, the grant or appropriation to which it relates, and give brief particulars by sub-heads and units of appropriation of expenditure for which it has been sanctioned, shall be forwarded by the Finance Department to the Accountant General, Himachal Pradesh.

8 (1) Supplementary estimates for all expenditure so financed shall be presented to the Legislative Assembly at its first session meeting immediately after the advance is sanctioned. However, in exceptional circumstances to be recorded in writing, the Supplementary Estimates, when they cannot be presented to the Legislative Assembly in the ensuing session, may be so presented at a subsequent session.

Note 1.—While presenting to the Legislative Assembly the estimates for expenditure financed from the Contingency Fund, a note to the following effect shall be appended to such estimates:–

"A sum of Rs..........has been advanced from the Contingency Fund in the month of........and an equivalent amount is required to enable repayment to be made to that Fund".

Note 2.—If the expenditure on a new service not contemplated in the Annual Financial Statement can be met, wholly or partly from the savings available within the authorised appropriations, the note appended to the Estimates shall be in the following form:–

"The expenditure is on a new service. A sum of Rs...........has been advanced from the Contingency Fund of Himachal Pradesh in the month of...........and an equivalent amount is required to enable repayment to be made to that Fund"

A part of that amount viz. Rs............can be found by re-appropriation of savings within the grant and a vote is required for the balance viz. Rs............only".

(2) As soon as the Legislative Assembly has authorised additional expenditure by means of a Supplementary Appropriation Act, the advance or advances made from the Contingency Fund, whether for meeting the expenditure incurred before the Supplementary Estimates were presented to the Legislative Assembly or after they were so presented, shall be resumed to the Fund to the full extent of the appropriation made in the Act.

9. All advances sanctioned from the Contingency Fund to meet expenditure in excess of the provision for the service included in the Appropriation (Vote on Account) Act shall be resumed to the Contingency Fund as soon as the Appropriation Act in respect of the expenditure on the service for the whole year including the excess met from the advances from the Contingency Fund has been passed.

10. A copy of the order resuming the advance, which shall give a reference to the number and date of the order in which the original advance was made and to the Supplementary Appropriation Act referred to in rule 7, shall be forwarded by the Finance Department to the Accountant General, Himachal Pradesh.

11. Actual expenditure incurred against advances made from the Contingency fund shall be recorded in the account relating to the Contingency Fund in the same detail as it would have been shown if it had been paid out of the Consolidated Fund.

12. An account of the transactions of the Fund shall be maintained by the Finance Department in Form 'A' annexed to these rules

FORM 'A'

CONTINGENCY FUND OF HIMACHAL PRADESH

Amount of the Fund : [1]Rs. 1,00,00,000

erial No.	Date of transaction	Number and name of the grant or appropriation	Number and date of application for advance	Number and date of the order making the advance	Amount advanced	Balance	Supplementary Appropriation Act. providing for the additional expenditure	Amount of advance resumed	Balance after resumption	Initial of the officer in charge Finance Department	Remaks
1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)

ote.—(1) The balance should be struck after each transaction.

H.P. GOVT. ORDERS

(1) **Purposes for which advances from Contingency Fund of the State are usually asked for and sanctioned.—** See para 1 of Order (6) below.

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[1] Amount increased from Rs. 50,00,000 to Rs. 1,00,00,000 *vide* H.P. Contingency Fund (Amendment) Act, 1987

(2) Definition of "New Service".— See para 2.29 of H.P. Budget Manual.

(3) Any sum required to satisfy any judgement, decree or award of any court or arbitral tribunal is "Charged Expenditure" and not "Voted Expenditure".—See Appendix 'B' of H.P. Budget Manual.

(4) Application form for advance from Contingency Fund of H.P.— I am directed to say that the cases being sent to this Department for sanctioning advances out of State Contingency Fund are not being examined properly by most of the departments which not only leads to delay in sanctioning funds but further this tendency involves unnecessary burden on State exchequer by way of payment of penal interest thereon which otherwise could have been avoided.

2. You are, therefore, requested to adhere to the following guide-lines before taking up such cases with the Finance Department:--

(i) Case be sent through self-contained letter alongwith Application, specimen of which is annexed;
(ii) Administrative approval of competent authority i.e. Minister-in-charge of the Department;
(iii) Advice of the Law Department;
(iv) Correct head of account i.e. Major Head, Sub-Major Head, Minor Head, Sub-Minor Head and S.O.E., Plan or Non-Plan, Charged or Voted;
(v) In the event of delay, reasons for late submission of the case alongwith name of the officer/official responsible for the same;
(vi) Details of compensation i.e. amount awarded by the Court and percentage of interest thereon showing the period;
(vii) If the fund is required under Plan scheme, the Planning Department should be approached for enhancing the Plan ceiling, if sufficient funds are not available;
(viii) The copy of the judgement should be obtained from the Court immediately after the delivery of judgement to avoid delay in taking further necessary action;
(ix) Legible photostat copy of the judgement of the Court.

Please acknowledge the receipt of this letter.

[H.P. Govt., F.D., letter No Fin-2-C (11)-1/97, dated the 4th June, 1997]

Application for advance from Contingency Fund of H.P.

1. Brief particulars of the additional expenditure involved
2. The particulars under which provision could not be included in the budget
3. Why its postponement is not possible ?
4. The amount required to be advanced from the Fund with full cost of the proposal for the year or part of the year as the case may be
5. The grant or appropriation under which supplementary provision will eventually have to be obtained (Head of account, etc.)
6. Name of the Drawing and Disbursing Officer
7. Name of the Treasury
8 Demand No. of the Department

Signature

(5) Advances from Contingency Fund - Classification in accounts.—(a) All bills for such expenditure shall conspicuously be labelled as pertaining to the contingency fund, quoting the order sanctioning the advance from the Fund and the usual classification of expenditure on the bills shall also invariably be given by the disbursing officers.

[Para 12.27 of H.P. Budget Manual]

(b) I am directed to say that a case has come to the notice of the Government where an advance sanctioned from the Himachal Pradesh Contingency Fund, which was required to be drawn from Part II - Himachal Pradesh Contingency Fund, was wrongly drawn by the Department out of the Consolidated Fund. This is a serious lapse and constitutes a financial irregularity. It has also been observed that in the application form of advance, proper head of account as also clear indication whether expenditure is under Plan or Non-Plan is not invariably given. It should be ensured that in future this point is kept in view.

2. You are, therefore, requested to take effective measures to ensure that the correct Head is operated by all concerned while drawing advances from the Contingency Fund to avoid confusion in the booking of expenditure.

[H.P. Govt., F.D., letter No. Fin. 1.C(II) 1/76, dated the 28th June, 1976]

(c) I am directed to refer to this Department circular letter No. Fin. I-C (II) 1/81-Vol. II, dated 3rd November, 1981 (*Not reproduced*) whereby it has been explained to you among others that advances sanctioned out of the Contingency Fund of the State by Finance Department, are initially required to be booked under head "Part II-800 H.P. Contingency Fund" and the expenditure is to be debited ultimately under relevant expenditure head of account indicated in the sanction letter issued by the Finance Department after obtaining equivalent amount in the Supplementary Demand for Grants during the same financial year in which advance is drawn. It is pointed out with regret that these instructions are not being complied with scrupulously by certain Departments and instead of charging the Contingency Fund advances initially to head "Part II- 800 Contingency Fund" the same are booked direct to the final expenditure head of account to which the expenditure is debitable after recoupment of such advances.

In this connection, a copy of D.O. letter No. Book-II/Cont. Fund/83-84/373, dated 18-8-1983 together with a copy of enclosure thereto, from Shri K.D. Mangotra, D.A.G. (A & E) addressed to this Department is sent herewith (*Not reproduced*). You are requested to immediately investigate and explain the circumstances under which the advances drawn out of the Contingency Fund of the State have been booked by you directly to the ultimate expenditure head instead of "Part II - 800 H.P. Contingency Fund" in contravention of Government instructions referred to above.

For all Secretaries/Heads of Departments in H.P.— For information and necessary action. It may please be ensured that advances from the Contingency fund are booked under head "Part II - 800 Contingency Fund" and not under the final head to which the expenditure is ultimately debitable after recoupment of the advance. Non-compliance of these instructions will be viewed seriously and render the defaulters liable for departmental action. These instructions may be brought home to all concerned for scrupulous compliance and receipt thereof be acknowledged.

[H.P. Govt., F.D., letter No. Fin. I-C (II)-1/83, dated the 24th September, 1983 addressed to certain Heads of Departments with copy to all Secretaries/Heads of Departments in H.P.]

(d) I am directed to invite a reference to this Department letter No. Fin.I-C (11) 1/81-Vol. II, dated 3rd November, 1981, on the above subject, wherein the departments were requested to first draw the advance sanctioned by the Finance Department out of H.P. Contingency Fund by debiting it to "Part II-800-H.P. Contingency Fund". The expenditure is to be booked subsequently under proper head of expenditure after issue of the recoupment order which is issued by the Finance Department after obtaining the equivalent amount through the Supplementary Demand for Grants presented to Legislature. It has, however, been noted that the departments do not follow these instructions. I am to request you that these instructions regarding proper classification of advances out of Contingency Fund may kindly be scrupulously observed. I am also to add that in case any sanction for advance out of Contingency Fund is not actually acted upon and the amount is not drawn, then the case should immediately be referred to Finance Department for cancellation of the sanction within the same financial year alongwith the reasons requiring such cancellation.

[H.P. Govt., F.D., letter No Fin.I-C(2)41/83, dated the 19th September, 1985]

(e) I am directed to invite a reference to this Deptt. letter No. Fin.I-C(2) 41/82, dated the 19th September, 1985, on the above subject (copy enclosed for ready reference) wherein the correct accounting procedure in regard to the drawal of amounts sanctioned out of the Contingency Fund of the state has been explained. The departments have time and again been told that every advance sanctioned by the Finance Department out of Himachal Pradesh Contingency Fund will, in the first instance, be drawn under head "Part-II - Contingency Fund" and not straightway to the concerned expenditure head. The expenditure, on this account, is booked subsequently under proper expenditure head after getting necessary budget provision made through Supplementary Demands for Grants and through the issuance of the re-coupment orders which are issued by the Finance Department in each case, after the passing of the Supplementary Demands for Grants by the State Legislature.

It has, however, been brought to the notice of Finance Department by the A.G. that the departments do not follow these instructions scrupulously and instances where the departments charge advances sanctioned out of the H.P. Contingency Fund straight to the expenditure head instead of the correct head "Part-II - 800 H.P. Contingency Fund" are still common. This is a serious financial irregularity which should be guarded against by all concerned.

I am, therefore, again to request you that the instructions issued by the Finance Department from time to time on the subject may kindly be followed in letter and spirit.

It is further requested that in case any sanction for advance out of Contingency Fund is not actually acted upon and the amount is not drawn, then this fact should be referred to and brought to the notice of Finance Department forthwith, with reasons for cancellation of the sanction within the same financial year.

These instructions may kindly be brought home to all concerned for strict observance and compliance. Any breach thereof will, in future, be viewed seriously and may lead to strict action against the erring official/officer.

The receipt of this letter may kindly be acknowledged

[H.P. Govt., F.D., letter No. Fin. A-C(11) 8/85-II, dated the 29th September, 1986]

(6) Advance from Contingency Fund is not an automatic additionality to budget - Department concerned to normally offer an equivalent surrender while moving proposal for Supplementary Demand for Grant for recoupment of advance.— I am directed to refer to the subject noted above and to say that advances out of the Contingency Fund of the State are often asked for and sanctioned by the Finance Department to enable the various Departments to pay decretal charges or for taking up implementation of a 'new service' for the reason that budget provision for such items does not exist in the regular sanctioned budget of the Department for the year. Such advances are subsequently recouped through Supplementary Demand for Grants with the approval of the State Legislative Assembly. It has been the experience of the Finance Department that the Administrative Departments, which obtain advances out of the Contingency Fund of the State presume the amount to be an automatic additionality in their budgeted provision. This apprehension is wrong.

It is hereby clarified that all advances out of the Contingency Fund of the State whether 'Voted' or 'Charged' will have to be adjusted by the concerned Department within the sanctioned appropriation with it and the same will not be taken as an automatic additionality to the sanctioned appropriation with that Department in Plan or Non-Plan as the case may be. While moving proposal for Supplementary Demands for Grants to recoup such advances the concerned department will be required to offer equivalent surrender in the sanctioned appropriation with it so as to absorb the advance drawn out of the Contingency Fund. This will apply both in the case of Plan and Non-Plan advances.

The Director (Planning) may consider the desirability of keeping in reserve some Plan provision so as to accommodate Plan additionalities that may arise due to sanction of advance out of Contingency Fund for expenditure which may be chargeable to Plan.

Additional funds, on Plan or Non-Plan side, will be provided in such cases only if the A.D. is able to prove that the expenditure could not have been adjusted, and that the expenditure could not be met by corresponding savings.

It is requested that the above instructions may kindly be followed strictly in letter and spirit by all concerned. The receipt of the letter may also kindly be acknowledged.

[H.P. Govt., F.D., O.M., No. Fin. A-C (11) 1/88, dated the 7th June, 1988]

(7) Provision to be made in next year's budget for the amount to be recouped to the Contingency fund in respect of the expenditure for which supplementary funds were not provided during the course of the year.— See para 12.25 of H.P. Budget Manual.

CHAPTER XVIII

Powers of Sanction

I – POWERS OF VARIOUS AUTHORITIES IN THE MATTER OF FINANCIAL SANCTIONS

(1) Powers of Administrative Departments

18.1. The powers of Administrative Departments for according financial sanctions are regulated by the following provisions :--

(i) No department shall, without previous consultation with the Finance Department, authorise any orders (other than orders pursuant to any general delegations made by the Finance Department) which either immediately or by their repercussions, will affect the finance of the State or which, in particular, either : -

(a) relate to the number of gradings or cadres or the emoluments of posts or to any other conditions of service of posts which may have financial implications; or

(b) involve any grant of land or assignment of revenue or concession; grant, lease or licence of mineral or forest rights or a right to water power or any easement or privilege in respect of such concessions; or

(c) in any way involve any relinquishment of revenue.

(ii) All financial sanctions and orders issued by a department within its own financial powers will be communicated direct to the Accountant General. All other orders involving financial sanctions which may be issued by departments of the Himachal Pradesh Government, i.e., sanctions beyond their financial powers will also be communicated to the Accountant General direct with an endorsement to the Finance Department.

Note. – The cases in which the consent of the Finance Department has been given to the exercise of powers by the Administrative Departments are given in Chapter XIX

H.P. GOVT. ORDERS

(1) No post to be created without concurrence of Council of Ministers. – (a) I am directed to state that under Item No. 15 of the Schedule appended to the Rules of Business of the Government of Himachal Pradesh, it has been specifically provided that all proposals for the creation and abolition of all Gazetted posts shall be brought before the Council of Ministers in accordance with the provisions of the rules.

2. In the year 1972 it was decided that once any post is included in the Budget, the same may be created by the Administrative Department in consultation with the Finance Department and thereafter filled up without going to the Council of Ministers.

3. It has now been decided that all proposals for the creation and abolition of Gazetted posts should be referred to the Council of Ministers for approval in accordance with the provisions of the Rules of Business.

Please acknowledge receipt.

[H.P. Govt., G.A.D., letter No. 5-9/71-GAD (CC), dated the 21st April, 1981]

(b) No new post to be created without prior concurrence of Council of Ministers.

[Extract from Serial No.1 - "Salaries" of H.P. Govt., F.D., letter No. Fin-1-C-(14)-1/83, dated the 6th September, 1995, complete text of which has been reproduced as Order (1) below Rule 19.5 in this Compilation]

(2) Creation of posts of Drivers.—(a) I am directed to state that during the course of the meeting of the Council of Minister held on Friday, June 25, 1971, it was decided that whenever the purchase of vehicle including a jeep, car, bulldozer or tractor etc. is sanctioned, the post of driver should also be sanctioned along with the same.

[Chief Secretary to H.P. Govt., letter No. 5-9/71, dated the 13th July, 1971]

(b) I am directed to enclose herewith a copy of letter No 5-9/71, dated 13-7-1971 from the Chief Secretary to the Government of H.P. wherein Government decision to the effect that whenever the purchase of vehicle including a jeep, car, bulldozer or tractor etc. is sanctioned, the post of driver should also be sanctioned alongside the same, was communicated to you.

2. It has been brought to the notice of the Government that the above instructions are not being followed in letter and spirit by any Department. It is, therefore, once again reiterated that any proposal envisaging sanction for the purchase of a new vehicle should invariably include proposal for the creation of a regular post of driver therefor alongside, establishing the need for the same on the basis of number of vehicles and sanctioned posts of drivers. Finance Department will concur in both the aspects of the proposal simultaneously and on the same file.

3. Whenever, a proposal for a new vehicle is placed before the Council of Ministers for its approval it should invariably contain a reference to the creation of a driver's post, if required. In case the Cabinet approval is not obtained due to some negligence, the Administrative Department may issue the sanction for the creation of the driver's post, in case the Finance Department have concurred in the proposal, without further reference to the Council of Ministers.

4. No proposal for engagement of a driver on daily wages will be entertained in any case by the Finance Department.

[H.P. Govt., F.D., letter No. Fin-F-I-C(3)-17/83, dated the 13th January, 1989]

(c) Whenever a new vehicle is sanctioned to any Department, the post of driver is also created on the basis of one vehicle - one driver formula and there should be no problem in filling up the post. However, if any sanction has not been given to any department, they may send the case to the Finance Department for sanction. It was agreed that all the sanctioned posts of drivers be filled up and the daily wage Drivers/Cleaness would be considered for regularisation

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against these posts, if they fulfil all conditions and have necessary qualifications. However, they would have to be sponsored by the Employment Exchanges and be considered alongwith other persons sponsored by the Exchanges.

[H.P. Govt., Personnel Deptt., letter No. Per (AP-II) F (4)-33/75-6, dated the 22nd December, 1989]

(3) **Part-time posts and posts on daily wages not to be created without concurrence of Finance Department.**—See Serial No. 2 - "Wages" of Order (1) below Rule 19.5 in this Compilation.

(II) Powers of Subordinate Authorities

18.2. The extent to which powers to sanction expenditure have been delegated to various Heads of Departments and other subordinate authorities is given in Chapter XIX.

II – POWERS IN REGARD TO CERTAIN SPECIAL MATTERS

(I) Write off of Losses

18.3. (a) A competent authority may write off finally the irrecoverable value of stores or public money lost by fraud or negligence of individuals or other causes.

(b) All sanctions to write off of losses should be communicated to the Accountant General for scrutiny and for bringing to notice any defects of the system which appear to require attention.

Note 1.—Losses of money out of treasury balances or currency chest balances should not be written off except with the specific sanction of the Finance Department. Losses out of small coin depot balances should be reported to the Government of India for sanction to their write off to Central Revenues.

This applies also to losses of cash in transit.

Note 2.—The expression "value of stores" used in this rule should be interpreted as meaning "book value" where priced accounts are maintained and in other cases replacement value to be determined on the basis of market value prevalent at the time the article is lost.

(II) Remission of Disallowances

18.4. A competent authority may waive the recovery of an amount disallowed in audit. On receipt of the orders for waiving the recovery the Accountant General will withdraw the objection.

H.P. GOVT. ORDERS

(1) Policy of Government in regard to over-payments made to Government servants.—See Order (1) below Rule 5.7.

(2) Insertion of condition where an amount due is written off merely because the person is no longer in service.—(a) In cases where an amount due from a person has to be written off on the ground that he/she is no longer in Government service and no recovery is, therefore, possible, the orders sanctioning write off should invariably contain a clause that any sums which are subsequently found due to the person concerned will be adjusted against the amount written off.

[G.I., M.F., O.M. No. 18(9) E-II (A)/59, dated the 25th June, 1959]

(b) (i) In cases where the amount of overpayment is written off merely because the person concerned is no longer in Government service and not on any other ground, as for example, that its recovery would cause hardship to the individual concerned, the dues which may accrue to him/her during the period of his/her re-employment under Government may be adjusted against the amount written off.

(ii) In the terms of re-employment of a retired Government servant, a condition should be inserted to the effect that any amount of overpayment pertaining to the pre-retirement period including the amount written off on the ground that he/she was no longer in Government service would be recoverable by adjustment of the pay and allowances admissible to him/her during the period of re-employment.

(iii) It will be the duty of the office employing a retired Government servant to make an enquiry from the office where he/she was formerly employed whether any amount is recoverable in terms of sub-para (i) of this O.M. Such an enquiry will have to be made immediately after a person is re-employed. The final payment to the re-employed person on the termination of his re-employment should not be made unless the re-employing office has ensured that no amounts are adjustable in terms of sub-para (i) of this O.M.

[G.I., M.F., O.M. No. F. 18(9)-E.II (A)/59, dated the 21st November, 1960]

(3) Revision of pay scales from 1-1-1978 - Waiving off recoveries of over-payments on account of wrong fixation on revision of pay scale and wrong fixation on account of stepping up after grant of Selection Grade.—(a) The undersigned is directed to say that *vide* Office Memo. No. Fin. (C)B(7)-13/79, dated 14th January, 1981, instructions were issued regarding fixation of pay in the revised pay scale with effect from 1-1-1978. Various Departments fixed the pay of some of the officers/officials in the revised payscale w.e.f. 1-1-1978 and granted an increment on 2-1-1978 and thereafter the officials were allowed to draw their next increment on the date it fell due in the pre-revised scale. In some cases, officials were also allowed step-up of pay equal to their juniors in terms of instructions contained in F.D's O.M. No. Fin. (C)-B(7)-13/79, dated 19-12-1979 wherever it fell due to accrual of increment of the junior earlier than the senior, again without any change in their earlier date of increment. So due to the wrong interpretation, over-payments have been made to the officers/officials of various Departments of H. P. Govt. Actually the term 'normal date of increment' meant that the next

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increment was to fall due after full incremental period of one year and not on the date of the increment as was in the pre-revised scale.

2. Some Departments of H.P. Government referred the matter to the Finance Department for waiving off the recoveries. Accordingly the case has been considered by the Government and it has now been decided that the recoveries of over-payments may be waived off in cases prior to the re-fixation of pay in terms of instructions contained in F.D.'s O.M. No.Fin. (C)B(7)-13/79, dated 7-4-1980 and 14-1-1981, upto 5-5-1982 when the Government ordered waiving off recoveries of H.P. Sectt. employees in similar circumstances, whereafter the recoveries of over-payments may be effected.

In the light of the above decision of the Government, all pending cases of over-payments be settled by the Administrative Departments itself accordingly.

The above decisions/clarifications may be brought to the notice of all concerned for information and regulating the pay of the employees concerned accordingly.

[H.P. Govt., F.D., O.M. No. Fin (C)-B(7)-2/82-II, dated the 21st September, 1987]

(b) Orders regarding waiving off recoveries of over-payments on account of wrong fixation of pay on revision of pay scales w.e.f. 1-1-1978 of the H.P. Government employees have been issued *vide* this Department O.M. of even number dated the 21st September, 1987. Under these orders recoveries of overpayments on this account upto 5-5-1982, were to be waived off.

2. Similarly it has further been noticed that in cases where step-up after the grant of Selection Grade has been allowed so as to remove an anomaly wherever it had occurred, the date of increment in certain cases has been kept the same as falling due in the old scale instead of after full incremental year. *Vide* para 2 of this Department's O.M. No. Fin (C)-B(7)-13/79, dated 10-8-1983, it was clarified to all the Departments that the next increment where the pay has been stepped up will be after full incremental year. As such overpayments, if any, made to H.P. Government employees on this account be also waived off upto 10-8-1983 and thereafter the recoveries of over-payments be effected.

The matter regarding allowing refund where such over-payments on account of wrong fixation on revision of pay scale and wrong fixation on account of stepping up after grant of selection grade upto 5-5-1982 and 10-8-1983 respectively had already been recovered from the employees had been engaging the attention of the Government for sometime post. It has now been decided that in such cases where recovery of over-payments on this account upto 5-5-1982 and 10-8-1983, as the case may be, has already been made from the Government employees, the same may be refunded to them. However, it should be ensured that over-payments, if any, made after 5-5-1982 (in case of wrong fixation on revision of pay scale) and after 10-8-1983 (in case of wrong fixation on stepping up after grant of selection grade) should be recovered from the employees concerned, if not already done.

In the light of the above decision of the Government all pending cases falling within the ambit of the aforesaid decision may be settled by the Administrative Departments accordingly.

The above decision/clarification may be brought to the notice of all concerned for information and necessary action.

[H.P. Govt., F.D., O.M. No. Fin (C)-B(7)-2/82-II, dated the 2nd June, 1988]

III—COMMUNICATION OF SANCTIONS

18.5. (i) The Accountant General is entitled to receive a copy of the orders sanctioning expenditure from the authority which is competent to accord that sanction. So every sanctioning authority is responsible to see that all sanctions and orders relating to receipts and expenditure, revision of scales, creation or abolition of appointments, etc., etc., against which audit is to be conducted by the Accountant General are communicated to him in accordance with the following procedure:--

(a) if the order is issued by an authority subordinate to the Government to whom the power to sanction has been delegated, by that authority direct;

(b) if the order is issued by an Administrative Department of the Government and is one to which the assent of the Finance Department is given the order will be conveyed by the Secretary to Government, in the Administrative Department concerned; who will also send a copy to the Finance Department;

(c) in other cases the order issued with the concurrence of the Finance Department will be communicated by the Secretary to the Government, in the Administrative Department concerned, direct to the Accountant General indicating therein the number and date of the U.O./O.M./letter of the Finance Department conveying their concurrence. One extra copy of such sanction, which will not be signed by the Secretary of the Administrative Department concerned, duly marked prominently "Duplicate—Not for payment" should be sent to the Accountant General, in the same cover along with the signed copy of the sanction. A copy of such a sanction will also be endorsed to the Finance Department.

Note 1.—The term "Secretary" used in clauses (b) and (c) above includes an "Additional Secretary". "Joint Secretary", "Deputy Secretary" and "Under Secretary".

Note 2.—All enclosures to the sanctions shall be attested by the sanctioning authority or at least by a gazetted officer working under the sanctioning authority.

(iii) All financial sanctions and orders involving payments from Government funds should be signed by the officers concerned in ink and should not be conveyed over cyclostyled signatures. They should be communicated to the Accountant General duly signed in ink by the officers concerned.

Note.— This procedure applies to expenditure sanctions only and not to all financial sanctions in general. There is no objection to the making out of extra copies of sanctions including signatures by cyclostyled process. Sanctions relating to delegation of powers to subordinate authorities and amendments to rules, etc. may, however, be issued under cyclostyled signatures.

H.P. GOVT. ORDERS

(1) Drafting of communications - Sums of money to be indicated in both figures and words.—Wherever sums of money are mentioned in a draft, the amount should be indicated in both figures and words, the words following the figures within bracket, as for example: Rs. 5,000/- (Rs. five thousand only).

[Para 12.5..6 (xxi) of H.P. Office Manual (2nd Edition)]

(2) Drafting of communications - All orders of the Government to be made and instruments executed in the name of the Governor.—All orders and other instruments made and executed in the name of the Governor should be made in his name in the drafts. Care should also be taken that such orders and other instruments are signed by an officer having regular or *ex-officio* Secretariat status of or above the rank of Under Secretary or other officer specifically authorised to authenticate such orders and instruments under Rule 11 of the Rules of Business of the Government of Himachal Pradesh, 1971.

Where the power to make Orders, Rules, Notifications, instructions, etc. is conferred by a statue on the State Government, such Orders, Rules, Notifications, instructions are to be expressed to be made/issued in the name of the State Government, while preparing drafts.

[Paras 12.5.6 (xxii) and (xxiii) of H.P. Office Manual (2nd Edition)]

(3) Sanctions to be self-contained and inclusive of a reference to the powers under which they are accorded.—It has been noticed of late that the sanctions issued by the State Government generally record the amount sanctioned and the proposal with reference to which the sanction was accorded. The detailed circumstances leading to sanction of expenditure, the total financial outlays for the scheme under the annual plan/five yearly plan, the physical targets proposed to be achieved thereagainst and allied matters are not included in the sanction itself. This result in back reference and avoidable correspondence at both ends.

You are requested to kindly instruct all concerned, including heads of departments in the State, to ensure that the sanctions issued by them are self-contained, inclusive of a reference to the powers under which sanction is accorded, and that these are invariably sent to this office in due time.

Kindly acknowledge receipt and apprise this office of the action taken in the matter.

[A.G. (Audit), H.P. letter No. Cass-I/Misc. Sanction/Sanctions/1988-89/1027, dated the 22nd November, 1988, circulated vide H.P. Govt., F.D., letter No. Fin-E-I-C(3)7/88, dated the 30th December, 1988]

(4) Sanctions to be conveyed to Audit Office duly signed in ink and not over cyclostyled signatures. (a) The undersigned is directed to invite a reference to rule 18.5 of

Himachal Pradesh Financial Rules, 1971 according to which all financial sanctions and orders involving payments from Government funds are required to be signed by the officer concerned in ink and should not be conveyed over cyclostyled signatures. These should be conveyed to the Audit Office duly signed in ink by the authorised officer. It has been observed that the provision of this rule is not being complied with in many cases and the financial sanctions are being communicated to the Audit Office over cyclostyled signatures. This departure from the provision of the rule naturally causes delay in the disposal of such letters/sanctions in the Audit Office.

2. In order, therefore, to avoid unnecessary references from the Audit Office, besides inconvenience and increase in office work, it is requested that the authorities concerned may kindly be directed to follow the provision of the rule aforesaid strictly by putting their signature in ink in all communications bearing financial implications.

[H.P. Govt., F.D., O.M. No. 1-3/74-Fin (Reg.), dated the 26th March, 1976]

(b) अधोहस्ताक्षरी के ध्यान में यह लाया गया है कि हि० प्र० वित्तीय नियमावली-1971 भाग-I के नियम 18.5 (ii) में दिये गये दिशा-निर्देशों का विभिन्न विभागाध्यक्षों द्वारा सही रूप से अनुपालन नहीं किया जा रहा है जबकि उक्त नियम के अर्न्तगत यह अनिवार्य है कि सम्बंधित विभागों द्वारा जारी की गई स्वीकृतियों की प्रति नियमित रूप से महालेखाकार कार्यालय की स्वीकृति प्राधिकारी द्वारा स्याही से हस्ताक्षरित भेजी जाएं।

[हि० प्र० सरकार, वित्त विभाग, कार्यालय ज्ञापन सख्या फिन सी -ए (3)-15/89, दिनांक 3-4-1979 - पैरा सख्या 1]

(c) The officer signing a financial sanction should be careful to sign in ink the copies to be forwarded to the Accountant-General. Ball pen signatures or cyclostyled signatures is not acceptable to the Audit. Similarly, the copies of notifications of appointments, leave, transfer etc. communicated to the Accountant General or Controller/Joint Controller/Deputy Controller/Accounts Officer, Finance & Accounts posted in the Departments which serve as the basis for issue of pay-slips should be signed in ink.

[Para 12.6.5. (2) of H.P. Office Manual (2nd Edition)]

(5) Sanctions to be endorsed separately to both A.G. (Audit), H.P. and Senior Deputy A.G. (Accounts & Entitlement), H.P.—(a) I am directed to state that consequent upon the re-organisation of the office of the Accountant General, Himachal Pradesh and Chandigarh with effect from 1.3.1984, two separate offices viz. (I) office of Accountant General (Audit), Himachal Pradesh and Chandigarh, Shimla; and (ii) office of Senior Deputy Accountant General (Accounts and Entitlement), Himachal Pradesh and Chandigarh, Shimla have started functioning from 1.3.1984. Consequently, copies of all financial sanctions pertaining *inter-alia* to revision of pay and allowances of the employees of the State Government, investigation/pre-audit of their personal claims, Administrative approval/Technical sanctions and expenditure sanctions, accorded by the various Departments of the State Government under the provisions of the State Financial Rules including sanctions of temporary/non-refundable advances to the subscribers of the General Provident Fund, Grants-in-aid, contributions, subsides, long term loans and advances to employees of the State Government, Guarantees given by the State Government in respect of the loans raised by the various Statutory Corporations, Government Companies, Local Bodies, and private individuals, loans raised by the State Government and those advanced by it to the Statutory Corporations, Government Companies, Co-operative Institutions, Local Bodies, etc., are required to be endorsed to both the new offices for exercising necessary audit checks and for authorising payments where necessary.

2. It is, therefore, requested that copies of all financial sanctions may please be endorsed to the office of the Accountant General (Audit), Himachal Pradesh and Chandigarh, Shimla and to the office of Senior Deputy Accountant General (Accounts and Entitlement), Himachal Pradesh and Chandigarh, Shimla.

3. The receipt of this letter may kindly be acknowledged.

[H.P. Govt., F.D., letter No. Fin (D) (C)15 (b)7/84, dated the 18th May, 1984]

(b) In continuation of this Department letter of even No., dated 16-3-1984 I am directed to invite your attention to Senior Deputy Accountant General (A & E), H.P. letter No. TM/Misc./84-85/8988, dated 7-2-1985 addressed to the Chief Secretary, H.P. and copies thereof endorsed to all Secretaries/Heads of Department and Deputy Commissioners in H.P. on the above cited subject and to request you that henceforth it may please be strictly ensured that sanctions of various kinds issued by the Secretaries/Heads of Departments/Sub-Offices under your control may please be marked separately to both the offices viz. Accountant General (Audit) and Senior Deputy Accountant General (Accounts and Entitlement).

[H.P. Govt., F.D., letter No. Fin. (D)(C) 15 (b) 7/84, dated the 16th March, 1985)

(c) It is further to inform you that the office of the Accountant General, H.P. has been bifurcated into two offices viz. the office of Accountant General (Audit), H.P., Shimla, and the office of the Senior Deputy Accountant General (A & E), H.P., Shimla w.e.f. 1-3-1984. In view of this every sanction having financial implications need be endorsed to the office of the A.G. (Audit) and to the Senior Deputy Accountant General (A & E), H.P., Shimla separately. This may also kindly be brought home to all concerned for scrupulous compliance.

[H.P. Govt., F.D., letter No. Fin.2 C (11) 20/85, dated the 14th July, 1986- Para 2]

(d) In continuation of this Department letter of even No., dated 16.3.1985 I am directed to invite your attention to Senior Deputy Accountant General, Himachal Pradesh, Shimla, letter No. TM-Misc/86-87/2525, dated 17-11-1986 addressed to the Chief Secretary to the Government of H.P. and copies thereof endorsed to all Secretaries/Head of Departments/Deputy Commissioners and Treasury Officers in H.P. on the above cited subject and to say that sanctions in general issued by the Government/Departments and subordinance offices are still being marked to the office of the Accountant General, H.P. only which office, in fact, does not exist after 1-3-1984 causing lot of confusion and inconvenience in the office of Sr. Deputy Accountant General as well as in the office of Accountant General (Audit), H.P. It will be highly appreciated if suitable instructions are issued to all concerned under your control to mark the sanctions, notifications, orders etc. separately to both the offices viz, the office of the Sr. Deputy Accountant General (A & E), H.P. and the office of the Accountant General (Audit), H.P., Shimla invariably in future.

[H.P. Govt., F.D., letter No. Fin. (D) (C) 15 (b) 7/84, dated the 28th November, 1986]

(e) I am directed to invite your attention to Rule 18.5 of H.P.F.R., Vol. I *vide* which copies of all orders sanctioning expenditure should be sent to the A.G. (Audit) and (A & E), H.P. As such it becomes responsibility of all sanctioning authorities to ensure that all sanctions and orders relating to receipts and expenditure, revision of scales, creation or abolition of posts etc. against which audit is to be conducted by the A.G., H.P. are communicated to that office. The A.G., H.P. in the meetings held recently with the Financial Commissioner (Fin) has intimated that many departments do not send copies of such sanctions to her office regularly, as a result whereof they are unable to audit the sanctions.

2. You are, therefore, requested to ensure regular despatch of copies of such sanctions to the office the A.G. (Audit) and (A & E), H.P. Instructions may be issued in this behalf to your subordinate offices for strict compliance and a copy thereof be sent to the A.G., H.P. under intimation to this department.

[H.P. Govt., F.D., letter No. Fin-D (C)5 (C)10/96, dated the 12th May, 1997]

(6) वित्तीय स्वीकृतियां महालेखाकार (लेखा परिक्षा) तथा उप महालेखाकार (लेखा तथा हकहारी) को हर रोज भेजने की बजाये मास के हर पखवाडे में जारी की गई स्वीकृतियों इकटठी कर के एक बार भेजने के बारे में.-- (a) उपरोक्त विषय पर उप महालेखाकार (कास) से प्राप्त अशासकीय पत्र संख्या कास-1/डी०आई०आर० निरीक्षा/90-91/3091 दिनांक 17.10.1991 की प्रति अनुलग्नक सहित भेजते हुए अधोहस्ताक्षरी को यह कहने का निदेश हुआ है कि वित्तीय स्वीकृतियों को जारी करने बारे कार्य प्रणाली महालेखाकार ने सुझाई है को तत्काल लागू किया जाये। इसके सुलभ कार्यन्वयन हेतु यह स्पष्ट किया जाता है कि :-

(1) सक्षम अधिकारी, वित्तीय स्वीकृतियों सामान्य रूप से जारी करते रहें। इन पर तारीख वास्तविक ही लिखें। केवल महालेखाकार व उप महालेखाकार (लेखा व हकदारी) को भेजी जाने वाली प्रति(यां) आरम्भ में ही रोक लें। ऐसी रोकी गई प्रतियाँ जो माह के पहले 15 दिनों में जारी की गई हों उन्हें दो भागों में छाँट लें। एक, ऐसी स्वीकृतियां जो रुपये 50,000 तक की हों और दुसरे ऐसी जो रुपये 50,000 से अधिक की हैं। इनहें अलग-अलग नथ्थी करके महालेखाकार को 21 तारीख तक एक साथ भिजवाया जाये। इसी प्रकार माह के दूसरे पखवाडे में जारी की गई स्वीकृतियां अगले माह की सात तारीख तक महालेखाकार तथा उप महालेखाकार (लेखा व हकदारी) को भेजी जायें।

(2) महालेखाकार को सम्बोधित पते में उनके कार्यालय के अनुभाग का नाम संलग्न सूचि *(Not reproduced)* के अनुसार अवश्य लिखें।

इस कार्य प्रणाली से कृप्या अपनें अधीनस्थ अधिकारियों या कार्यालयों को कठोरता से लागू करने हेतु अवगत करवायें।

[H.P. Govt., F.D., O.M. No. Fin (D) D (5) B-7/88, dated the 25th April, 1991]

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Copy of D.O. letter No. Cass-I/Dir of Inspection/90-91/3091. dated the 17th January, 1991 from the Deputy Accountant General (CASS), H.P. to the Secretary (Finance) to H.P. Govt.

As per existing practice, copies of all financial sanctions issued by the State Government and subordinate authorities are required to be sent to this office as well as to the office of the Sr. D.A.G. (A & E), H.P., Shimla.

2. With the growth of plan expenditure and extended activities of the State Government, large number of sanctions are being issued by various authorities and received in this office almost daily. With a view to ensuring that all copies of sanctions due to be received in this office are actually received, it has been decided that instead of sending the copies of sanctions in piecemeal as at present, all sanction issuing authorities may send the sanctions issued during a fortnight in two bunches, i.e., one bunch of sanctions exceeding Rs. 50,000 and another consisting of sanctions up to Rs. 50,000 only. In other words, sanctions issued during the first fortnight of a month should be sent to this office during the third week of the month separately in two bunches as stated above. Likewise, sanctions issued during the later part of the month may be sent in the first week of the succeeding month. In order to secure further that there is no loss of the documents in transit and also to ensure prompt action, the name of the Section of this office which is responsible for dealing with the sanction should be indicated in the body of the sanction itself. For this purpose, lists of major heads of accounts being dealt with in different sanctions of this office is enclosed.

3. I shall be grateful if you could kindly direct all sanction issuing authorities in the State to follow the above procedure from February, 1991 under intimation to us.

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(b) इसके अतिरिक्त यह भी निदेश दिया जाता है कि उन सभी स्वीकृतियों की जो कि 50,000 रुपये से अधिक हों विवरणी जिसमें स्वीकृति की संख्या, दिनांक तथा सम्बंधित विषय का हवाला हो हर मास के अन्त में महालेखाकार (लेखा-परीक्षा) हिमाचल प्रदेश को नियमित रूप से भेजी जाए ताकि लेखा परीक्षा कार्यालय द्वारा स्वीकृतियों की प्रतियों की प्राप्ती की जॉच की जा सके।

अतः सभी विभागों को निर्देश दिया जाता है कि भविष्य में उपरोक्त निर्देशों का कठोरता से अनुपालन करें तथा कृपया अपनें अधीनस्थ कार्यालयों द्वारा भी अनुदेशों की अनुपलना सुनिश्चित करें।

(H.P. Govt., F.D., O.M. No. Fin (C)-A(3)-15/89, dated the 3rd April, 1992]

(c) उपरोक्त विषय पर आपका ध्यान इस विभाग के कार्यालय ज्ञापन समसंख्यक दिनांक 25-4-1991 की ओर दिलाते हुए अधोहस्ताक्षरी को यह कहनें का निदेश हुआ है कि

वित्तीय स्वीकृतियों को जारी करनें के बारे कार्य प्रणाली की जो हिदायतें वित्त विभाग द्वारा जारी की गई थी, उन्हें किसी भी विभाग द्वारा अभी तक कार्यरूप नहीं दिया गया है। इस बारे में महालेखाकार द्वारा बार बार वित्त विभाग से अनुरोध किया जा रहा है कि इन हिदायतों का सभी विभागों द्वारा कठोरता से पालन करवाया जाये। अतः आप से अनुरोध है कि अपनें अधीनस्थ कार्यालयों को पुनः निर्देश जारी करें ताकि वित्तीय स्वीकृतियों के मामले में निर्धारित कार्य प्रणाली की अनुपालना की जा सके।

(H.P. Govt., F.D., O.M. No. Fin (D) D (5) B-7 88, dated the 31st March, 1993.]

(d) उपरोक्त विषय पर आपका ध्यान इस विभाग के कार्यालय ज्ञापन समसंख्यक दिनांक 25-4-1991 तथा 31-3-1993 की ओर दिलाते हुए मुझे महालेखाकार कार्यालय से प्राप्त पत्र संख्या कास -1/डी०आर० इन्सपैकशन/93-94/700 दिनांक 13-7-1993 की प्रति भेजते हुए *(Not reproduced)* यह कहनें का निदेश हुआ है कि प्रदेश सरकार के कार्यालयों द्वारा वित्तीय स्वीकृतियां सामूहिक रूप से निरन्तर महालेखाकार हिमाचल प्रदेश को नहीं भेजी जा रही हैं, जिस पर महालेखाकार से कडी आपत्ति प्रकट की है। अतः आप से पुनः अनुरोध है कि वित्त विभाग के पत्र संमसख्यक दिनांक 25-4-1991 द्वारा जारी की गई हिदायतों का कठोरता से पालन किया जाये तथा अपने अधीनस्थ सभी अधिकारियों को कडे निर्देश जारी किये जायें कि वित्तीय स्वीकृतियां सामूहिक रूप से महालेखाकार कार्यालय को भेजना सुनिश्चित करें।

कृपया पावती भेजें ।

(H.P. Govt., F.D., letter No. Fin (D) D (5) B-7/88-II, dated the 30th July, 1993.]

(7) Delegation of enhanced financial powers - Endorsing of copies of sanctions to Finance Department.—(a) While issuing sanctions, authorities to whom powers have been delegated (*in this O.M.*) shall ensure that copies of the orders are invariably endorsed to the Finance Deptt. in the interest of proper verification/check.

[H.P. Govt., F.D., O.M. No. Fin. (C). A (3)-11/77, dated the 14th June, 1979]

(b) While issuing sanctions, authorities (*in the Department of Soil Conservation*) to whom powers have been delegated (*in this Notification*) shall ensure that copies of the orders are invariably also endorsed to the Finance Department in the interest of proper verification/check.

[Para 2 of H.P. Govt., F.D., Notification No. 1-5/74-Fin(Reg), dated the 18th January, 1982]

(c) While issuing sanctions, authorities (*in Agriculture/Fisheries/Horticulture/Industries Departments*) to whom powers have been delegated (*under Rules 19.9, 19.12 and 19.13 in this O.M.*) shall ensure that copies of the orders are invaribaly endorsed to the Finance Department in the interest of proper verification/check.

(H.P. Govt., F.D., O.M., No. 1-6/71 Fin (Reg.), dated the 3rd June, 1982)

18.6. As audit of expenditure on works is conducted against technical sanctions, orders conveying such sanctions must be communicated to the Accountant General by the Public Works Department/Multipurpose Projects and Power Department, or in case where execution of works has been assigned to any department other than the Public Works Department/Multipurpose Projects and Power Department by the department concerned and should be conveyed independently of the communication of administrative approval. In order to facilitate audit scrutiny the authorities concerned should invariably quote the reference to administrative approval when they communicate technical sanction to the Accountant General.

Note.— Technical sanction to a work shall be accepted in audit if it exceeds the amount of the administrative approval by a sum not exceeding 2 per cent.

18.7. All orders conveying sanction to the grant of additions to pay, such as special pay and compensatory allowance, should contain a brief but clear summary of the reasons for the grant of the addition so as to enable the Accountant General to see that it is correctly classified as special pay or compensatory allowance as the case may be. In cases in which an official record in an open letter is considered undesirable the reasons for the grant of such additions to pay should be communicated confidentially to the Accountant General. A similar procedure should also be followed in all other cases in which the rules require that reasons for the grant of special concessions or allowance should be recorded.

18.8. Sanctions accorded by competent authority to grant of land and alienations of land revenue, other than those in which assignments of land revenue are treated as cash payment, should be communicated to the Accountant General in a consolidated monthly return giving the necessary details to enable him to audit the sanction accorded.

18.9. In all letters conveying sanctions to new grants-in-aid, the sanctioning authorities should invariably quote the rule under which the sanctions have been accorded. Where a sanctioning authority imposes any further restrictions or conditions in addition to those laid down in the rule such restrictions or conditions should also be clearly set forth in the letter.

IV - SIGNING OF SANCTIONS

18.10. All letters or orders sanctioning expenditure, appointments, etc., must be signed by the sanctioning authority himself, or by a gazetted Government servant under him authorised to sign for him, but in no case by a non-gazetted Government servant. Such copies of sanctions signed by a non-gazetted Government servant are not sufficient and should be authenticated by a gazetted Governmet servant.

Note 1.—In respect of sanctions accorded by the Government *see* also rule 18.5 (i) and notes below it.

Note 2.—In the case of Subordinate Civil and Sessions Courts, the District and Session Judges and Senior Subordinate Judges are authorised to delegate the power of signing Pay/T.A./Contingent bills and operating Sheriff Petty Accounts on their behalf during the period of their absence on account of vacation, leave or tour to Subordinate Judges at the Headquarters, or duty Magistrates, who are under the control of District Magistrates. This will not, however, relieve them any way of their responsibility for the accuracy of the Pay/T.A./Contingent bills and Sheriff Petty Accounts signed on their behalf or for the disposal of any money received in payment.

H.P. GOVT. ORDERS

(1) **Head of Office may authorise any gazetted officer serving under him to sign a bill, voucher or order for him, communicating his name and specimen signature to the treasury.**—See Note 1 below Rule 4.7 (1) (g) of H.P. Subsidiary Treasury Rules.

(2) **It is always assumed that the sanctioning authority accepts full responsibility for the sanctions issued in his name under the signature of a gazetted Government servant authorised to sign for him.**—It has been decided by the Comptroller and Auditor General of India that so long as a sanction purports to issue from the officer, who is competent to accord it and the endorsement to Audit is made under the signatures of a Gazetted officer authorised to sign such letters in terms of Rule 28 of the General Financial Rules, 1963, Audit is not concerned whether the sanction in question was or was not seen by the competent authority personally. In fact in all such cases, it is always assumed that the authority competent to accord sanctions accepts full responsibility for the sanctions issued in his name.

(Comptroller and Auditor General's U.O. No. 997-Admn. II/286-A/54, dated the 2nd August, 1954)

VI—DATE OF EFFECT OF SANCTIONS

18.11. Statutory rules have effect from the date on which they are passed and the executive orders of Government take effect from the date of issue of letter in which the sanction is conveyed. A sanction of any other authority has effect from the date of the orders conveying the sanction.

In all cases, these orders are subject to any special provisions as to the date of effect in the rules, orders or sanctions themselves.

Note.— *See* also rules 17.2, 17.3 and 17.5.

18.12. Powers derived from a delegation cannot be exercised by the recipient of the delegated powers from a date earlier than the delegation.

VI—RETROSPECTIVE SANCTIONS

18.13. (1) Authorities which are competent to sanction revision of pay scale or the grant of concessions to Government servants should bear in mind that retrospective effect should not be given to financial sanctions, except in exceptional circumstances, without the special approval of competent authority.

(2) In the absence of special reasons to the contrary concessions regarding rates of pay for any class of Government servants should take effect as from the first of March and not from some date in the middle of a financial year.

VII—LAPSE OF SANCTIONS AND ADMINISTRATIVE APPROVAL

18.14. A sanction or an administrative approval for any fresh charge which has not been acted on for two years must be held to have lapsed, unless it is specifically renewed with necessary provisions in the budget, estimate. *See* also rule 17.4. Thus, if a scheme administratively approved in the year 1971-72 for inclusion in the Schedule of New Expenditure for the year 1972-73 is cut from the Schedule by the Council of Ministers, it can be included in the Schedule of New Expenditure for the next year, viz, 1973-74 without fresh administrative approval. If, however, no funds are provided for the scheme even in the budget for the year 1973-74 the administrative approval originally conveyed will need renewal before the scheme can be included in the schedule of New Expenditure for the year 1974-75.

Note 1.—The rule does not apply to a case where an allowance sanctioned for a post or a class of Government servants has not been drawn by a particular incumbent or incumbents, nor does it apply to an addition made gradually from year to year to a permanent establishment under a general scheme which has been sanctioned by proper authority.

Note 2.—A sanction for a temporary/non-refundable advance from the Provident Fund shall remain operative for a period of three months and shall be deemed to have lapsed after this period unless it is specifically renewed. In cases of non-refundable withdrawal from the Provident Fund effected in instalments, the sanction accorded will, however, remain valid upto a particular date to be specified by the sanctioning authority in the sanction order itself.

18.15. (a) When the assent of the Finance Department is given to the sanction of expenditure (recurring or non-recurring) within the financial year or the power to sanction such expenditure within the financial year, is delegated, the sanction accorded will lapse on the 31st March. In the case of establishment charges when payments are made on monthly basis the sanction will expire on the last day of February of the financial year in question, unless the sanction covers a broken period of the month of March payment for which can under the rules be made in the month of March.

(b) When the assent of the Finance Department is given or delegation granted to the sanction of recurring expenditure for a specified period within the financial year, the sanctions as of necessity cannot go beyond the financial year and expire after the period specified, in any case before the close of the year, or in the case of establishment charges paid on monthly basis, on the last day of February unless the sanction covers a broken period of the month of March. In such cases renewals may be made without any restriction.

(c) When the assent of the Finance Department is given or delegation granted to the sanction of recurring expenditure for a specified period not limited to the financial year the sanction accorded will not extend beyond the termination of the specified period.

(d) In respect of all sanctions described in rules, clauses (a), (b) and (c) it is the duty of the audit to report to the Finance Department renewals extending beyond the limits laid down.

CHAPTER XIX

Consent and Delegation Orders

19.1. With reference to rules 1.13 and 18.1, the authorities which exercise the powers of a Competent Authority under the various rules in this Volume, are detailed in rules 19.6 *et seq.*

The table below gives in brief the powers which have delegated, the rules in the preceding chapters in which these powers have been referred to and the rules in this chapter in which the exact nature and extent of powers have been given:--

Rules under which powers are delegated	Nature and brief description of powers		Rules in this chapter in which the exact nature and extent of the powers have been given
8.3 and 15.2	Contingencies, stores, etc.	...	19.6
2.46	Grants., concessions, lease, etc	...	19.7
8.3	Scholarship and stipends	...	19.8
8.3	Expenditure from discretionary grants, grants-in-aid, contributions, donations, etc.	...	19.9
10.1	Grants of loans and advances to Government servants, Co-operative Societies, and other individuals	...	19.10
10.10 and 10.27	Write off of irrecoverable loans and advances and remission of loans and advances	...	19.11
16.5(b)	Administrative approval to works	...	19.12
16.5(b)	Technical sanctions to estimates for works	...	19.13
16.7	Sale of land, buildings and other immovable property	...	19.14
15.3 and 15.6	Sale and disposal of stores, etc.	...	19.15
15.3	Write off of losses, stores, etc.	...	19.16
4.5 and 9.1	Remission of revenue and abandonment of claims to revenue	...	19.17
18.4	Remission of disallowances ordered by Audit Officer	...	19.18

Note 1.—The powers are in all cases subject to the rules as to the nature and extent of sanctions contained in Chapters XVII and XVIII.

Note 2.—These powers are intended to be exercised in individual cases only.

Note 3.—The Administrative Departments and Heads of Departments may re-delegate the powers delegated to them [1][by not more than 75% of the powers being enjoyed by them] in this chapter, on their own responsibility and subject to such restrictions as they may like to impose, to any authority under them. Copies of all such orders should invariably be supplied to the Finance Department and the Accountant General, Himachal Pradesh.

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[1] Inserted by H.P. Govt., F.D., Notification No. Fin.(C)-A(2)-8/77, dated 19th August, 1978.

H.P. GOVT ORDERS

(1) An officer appointed to perform current duties of an appointment can exercise administrative and financial powers vested in full-fledged incumbent of the post but he cannot exercise statutory powers including those contained in the Delegation of Financial Powers Rules.—The Law Ministry has since advised that an officer appointed to perform the current duties of an appointment can exercise administrative or financial powers vested in the full-fledged incumbent of the post but he cannot exercise statutory powers, whether those powers are derived direct from an Act of Parliament (e.g., Income Tax Act) or Rules, Regulations and Bye-Laws made under various Articles of the Constitution (e.g., Fundamental Rules, Classification, Control and Appeal Rules, Civil Service Regulations, Delegation of Financial Powers Rules, etc.)

[G.I., M.H.A., O.M. No. F.7/14/61-Ests. (A), dated the 24th January, 1963]

(2) A gazetted officer authorised by Head of Office to sign bills/vouchers/orders for him, cannot, however, exercise powers vested in Head of Office/Disbursing Officer.—See Decision (7) below H.P. Subsidiary Treasury Rule 4.7.

(3) Meaning of the words 'for any one item, in each case'.—The words 'for any one item, in each case' do not mean that articles under the same item, say 'medicines', be bifurcated and each medicine treated separate for the purpose of effecting purchases cn one occasion.

It is clearly laid down in para 2 of Rule 15.2 (a) of H.P. Financial Rules, Vol. I that the purchase orders should not be split up so as to avoid the necessity of obtaining the sanction of higher authority required with reference to the total amount of the orders.

[H.P. Govt., F.D., U.O. No. Fin (C) A (2)-2/78, dated the 21st April, 1984 to the Deputy Secretary (H. & F. W) to H.P. Govt. and copy endorsed to the Director, Health Services, H.P. and the Treasury Officer, Mandi]

19.2. The assent of the Finance Department is also given to expenditure (including advances) in those cases in which such expenditure is expressly authorised to be made by any authority by the provision of—

(a) any legislative enactment for the time being in force, or rules made under such enactment; or

(b) the rules in Chapters I to XVIII of this Handbook or in any other Code or Handbook, issued after consultation with the Finance Department; or

(c) any orders delegating financial power after consultation with the Finance Department.

19.3. The consent of the Finance Department is not to be considered as given to—

(1) any expenditure or advance authorised by any legislative enactment, code, rule or order to be made by the Government except in so far as this is specially stated;

(2) the expenditure or advance which involves contravention of any existing order of the Government issued in consultation with the Finance Department, imposing any scale, limit or other restriction; or of the rules in this Handbook or in any other Code or Handbook;

(3) expenditure which forms part of a scheme which as a whole requires the assent of the Finance Department; and

(4) any item of expenditure of an unusual or extravagant nature, it being the function of audit to draw attention to any such item:

Provided that petty items of expenditure not exceeding two hundred rupees in any one case may be sanctioned by the Administrative Department concerned where they are satisfied that the expenditure was unavoidable.

19.4. Unless otherwise provided by any special order the assent of the Finance Department may be considered to have been given to the exercise by Administrative Departments of such powers as have been delegated to the Heads of Departments or other subordinate authorities

Note.— Unless otherwise provided by a special order, a higher authority in a department may exercise the power delegated to the authority subordinate to it.

19.5. (a) The term "pay" as used in this chapter does not include "special pay".

(b) The term "Public Works" appearing in column 3 of the tables in the following rules of the chapter means "the Administrative Department in control of the branch of the Public Works Department" concerned.

H.P. GOVT. ORDERS

(1) **SOE-wise delegation of financial powers.**—(a) I am directed to say that with a view to ensure meaningful expenditure control, Government has been reviewing economy

instructions issued in the past and it has been decided to issue comprehensive financial guidelines with the following objectives:--

i) To effect economy and reduce unproductive expenditure.

ii) To reduce procedural delays which involve hidden costs;

iii) To make the Administrative Departments directly responsible for ensuring fiscal discipline;

iv) To ensure expenditure is booked under appropriate account head so that it can be monitored properly;

v) To ensure that cost effectiveness is the criteria for expenditure decisions in items like purchases of machinery, equipment, material and supplies and suspense.

Accordingly, the financial guidelines contained in the enclosed annexure are being issued. These shall supersede both the earlier economy instructions issued *vide* letter No. Fin. 1-C(14)1/83 dated 12.3.90 and further amendments thereto, as well as the provisions contained in chapter 19.6 of the HPFR. It may be noted that these financial guidelines are based on a clear definition of the expenditure to be booked in a particular SOE and ARE STRICTLY SUBJECT TO BUDGET PROVISION IN THE CONCERNED SOE. The power to reappropriate between SOEs shall continue to rest with Finance Department.

These revised financial guidelines are delegating financial powers to the Administrative Department with the strict pre-condition that the Administrative Departments, HODs and concerned DDOs shall ensure that expenditure is authorised within the ceilings of the budget provisions which are communicated. It shall be the primary responsibility of the Administrative Departments and of the concerned DDOs to ensure compliance with these instructions.

To regulate the expenditure in a phased manner, the Administrative Departments shall ensure that both the Non-Plan and Plan budget of the respective departments is allowed to be spent in a controlled manner as follows:--

1st Quarter	=	20 %
2nd Quarter	=	25 %
3rd Quarter	=	30 %
4th Quarter	=	25 %

Wherever any deviation from the above regulation of expenditure is required by any of the Administrative Departments, the cases alongwith full justification will need to be sent to the Finance Department. The expenditure of PWD and IPH Departments will continue to be regulated through the present LOC system.

[H.P. Govt., F.D., letter No. Fin. 1-C(14)-1/83, dated the 6th September, 1995 and Corrigendum of even number, dated the 6th February, 1997]

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S.O.E.	DEFINITION/EXPLANATION	DELEGATION OF FINANCIAL POWERS SUBJECT TO BUDGETARY PROVISION
1. SALARIES	It includes pay, allowances in all forms to personnel including leave encashment but not travel expenses (other than leave travel concession).	Full powers to DDO level for payment of salary and allowances of all staff in position against both permanent and temporary posts subject to the condition that :- i) No vacant post shall be filled by direct recruitment without concurrency of F.D. ii) No new post is to be created without prior concurrency of Council of Ministers. iii) No payment of any allowances shall be permitted without prior approval of CMM with concurrence of F.D.
2. WAGES	It includes payments to daily rated staff, whole time or part time (other than those charged to SOE Maintenance, Minor and Major works).	i) Full powers upto DDO level for daily waged/part time employees in position as on 28th February, of the preceding financial year. Provided that this power shall not confer the right to fill up any vacancies in daily waged personnel resulting from any cause whatsoever without concurrency of F.D. Provided further that this restriction will not apply to sanctioned posts of part time sweepers. ii) No new posts on daily wage/part-time shall be created without prior concurrency of F.D. Provided that any temporary posts created for fixed periods such as coal boys, shall continue to be paid only for the specified periods within the sanctioned limit of engaging such personnel fixed once with prior concurrence of Finance Department. Provided further that the instructions issued by the Department of Personnel *vide* their letter No. PER (AP-II)B(2)5/86 -III dated……… will remain the guiding principle for governing the service conditions of daily waged personnel.

(All the above delegated financial powers are subject to budget availability. The available budget should also be spent in a proportionate manner so that demands for additionality in the budget allocation are not created.)

S.O.E.	DEFINITION/EXPLANATION	DELEGATION OF FINANCIAL POWERS SUBJECT TO BUDGETARY PROVISION
3. TRAVEL EXPENSES	It includes all expenses on account of travel on duty. This will also include T.A. to non-official members.	Full powers to the designated Controlling Officers for tours within the State (for this purpose tours upto Chandigarh/Pathankot will count as tours within the State). i) Full powers to Administrative Secretary for tours outside the State but within the country. ii) Secretaries to the Government will inform the C.S. about their tour programme. iii) All foreign tours shall be subject to clearance by F.D. through the A.D. iv) Touring by private vehicles shall be governed by instructions issued from time to time and instructions already issued shall continue to apply till such time they are revised. Provided that the delegation provided here may at any time by curtailed by administrative instructions such as the instructions issued by Department of Personnel regarding restrictions on touring during the Vidhan Sabha session.
4. LIVERIES	It includes expenditure on liveries as approved by Government.	Full powers to the Controlling Officers for purchase of livery articles on the rate and pattern approved by Government.
5. OFFICE EXPENSES	It includes all contingent expenses for running an office such as furniture, postage, purchase and maintenance of office machines and equipment (e.g. photocopiers, fax	Furniture : (i) Total ban on purchase of furniture except in cases where a new office or additional staff is created. In these cases full powers to A.D. Purchase of furniture will be according to the norms

(All the above delegated financial powers are subject to budget availability. The available budget should also be spent in a proportionate manner so that demands for additionality in the budget allocation are not created.)

S.O.E.	DEFINITION/EXPLANATION	DELEGATION OF FINANCIAL POWERS SUBJECT TO BUDGETARY PROVISION
	machines, typewriters, computers, heaters, locks, clocks etc.) hot and cold weather charges, telephones, electricity and water charges, stationery other than that received directly from the Controller, Printing and Stationery, expenditure on labour for carriage of office record, materials etc. (where it is not paid out of wages), purchase of books, journals and newspapers for use in offices/ libraries, demurrage/wharfage, printing other than that through Controller, Printing and Stationery.	decided by the Government. Where norms do not exist the A.D. shall get these notified with prior concurrence of F.D. (ii) In the case of replacements of furniture, full powers to the Heads of Departments subject to condemnation of old furniture in accordance with the laid down procedure and replacement as per approved norms.
		Postage : Full powers upto DDO level.
		Purchase of Office Machines and Equipment : All purchases of individual items costing above Rs.20,000/- shall be effected with prior approval of Finance Deptt. Power upto Rs. 20,000/- delegated to H.O.D.
		Maintenance of Office Machiens : Full powers to HODs/Controlling Officers.
		Hot & cold weather charges : - do -

(All the above delegated financial powers are subject to budget availability. The available budget should also be spent in a proportionate manner so that demands for additionality in the budget allocation are not created.)

S.O.E.	DEFINITION/EXPLANATION	DELEGATION OF FINANCIAL POWERS SUBJECT TO BUDGETARY PROVISION	
		Electricity and water charges	Full powers to HODs/Controlling Officers.
		Telephones/EPABX	
		a) New connections/ New EPABX	i) No new telephones / EPABX for the existing establishment without prior concurrence of the Finance Department.
			ii) For new . establishment / offices, telephones may be sanctioned by the concerned AD on the basis of norms notified with prior concurrence of Finance Department.
		b) Telephone bills	i) Full powers to the HOD subject to the limits of free telephone calls on official phones installed at residences as per instructions issued from time to time.
		Carriage of office record	Full powers to HODs/ DDO.
		Books & Journals	Full powers to HOD
		Stationery other than that received from CP&S	Full powers to HOD.
		Demurrage/ Wharfage	Full powers to DDO.

(All the above delegated financial powers are subject to budget availability. The available budget should also be spent in a proportionate manner so that demands for additionality in the budget allocation are not created.)

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S.O.E.	DEFINITION/EXPLANATION	DELEGATION OF FINANCIAL POWERS SUBJECT TO BUDGETARY PROVISION
		Printing other than that done through CP&S. Full powers to HOD.
6. MEDICAL REIMBURSEMENT	It includes expenditure on medical expenses of Government employees and others authorised by Government as per procedure approved by Government.	Full powers to DDOs subject to instructions/ norms fixed by the Government from time to time.
7. RENT, RATE & TAXES	It includes payment of rent for hired buildings, Municipal rates and taxes etc. It will also include lease charges for land.	i) Full powers to DDOs for payment of rent of buildings which have been hired by the concerned department with prior concurrence of F.D. ii) Full powers for payment of Rates and Taxes. iii) For hiring of new office/residential accommodation full powers to the A.D. on the basis of norms notified with prior concurrence of F.D.
8. PULICATIONS	It includes expenditure on printing of office codes, manuals and other documents whether priced or unpriced but will exclude expenditure on printing of publicity materials. This will also include discount to agents on sale of publications.	Delegations under this head shall be same as under "Other Charges", clause (vii) Provided that wherever publications are to be printed from any agency other than through the Controller, Printing and Stationery, these shall be subject to NOC from the Controller of Printing and Stationery.

(All the above delegated financial powers are subject to budget availability. The available budget should also be spent in a proportionate manner so that demands for additionality in the budget allocation are not created.)

S.O.E.	DEFINITION/EXPLANATION	DELEGATION OF FINANCIAL POWERS SUBJECT TO BUDGETARY PROVISION
9. ADVERTISING & PUBLICITY	It includes costs of printing of publicity material for all Government departments. This would also include expenditure on organising of putting up stalls, giving prizes, etc. at exhibitions and fairs.	Full powers to the ADs on the rate and pattern approved by the Government with prior concurrence of Finance Department.
10. HOSPITALITY & ENTERTAINMENT EXP.	It includes expenditure on hospitality/ entertrainment expenses.	Full powers to the AD to host official lunches/dinners and provide refreshment at meetings, etc.
11. FURNISHINGS	It includes expenditure on furnishings of such residential and non-residential buildings as are specifically approved by Government in concurrence with F.D.	Full powers to A.D. on the basis of norms notified with the concurrence of Finance Department.
12. PROFESSIONAL & SPECIAL SERVICES	It includes charges for legal services, consultancy fees, fees to staff artists, remuneration to examiners, invigilators, etc. for conducting examinations, remuneration to casual artists, etc. to other than Government servants.	Full powers to A.D./HOD subject to norms notified in consultation with F.D.

(All the above delegated financial powers are subject to budget availability. The available budget should also be spent in a proportionate manner so that demands for additionality in the budget allocation are not created.)

S.O.E.	DEFINITION/EXPLANATION	DELEGATION OF FINANCIAL POWERS SUBJECT TO BUDGETARY PROVISION
13. FIXED TRAVEL ALLOWANCE	It records expenditure on fixed travelling allowance to concerned Government employees.	Full powers to the Controlling Officers in accordance with the rates notified with concurrence of Finance Department.
14. EMOLUMENTS	It records the emoluments of members of the Vidhan Sabha.	
15. SECRET SERVICE EXPENDITURE	It records secret service expenditure.	Full powers to the officers designated by the Government to operate this SOE.
16. OTHER CHARGES	It includes payment out of discretionary grants, expenditure on organising as well paying delegate fees for Conferences, Seminars, Workshops, short term farmer's training/youth/NCC and other camps, gratuitous relief, compensation for loss caused by wildlife. Any other expenditure which cannot be classified under any of these specified object heads will be debited to this head.	i) Discretionary grants expenditure shall be regulated as per the rules/instructions issued on the subject from time to time. ii) For delegate fees for participation in conferences/seminars/work-shops within the country, full powers to the A.D. iii) For organising seminar/conference/workshop by various departments within Himachal Pradesh, full powers to the A.D. iv) For participation in conferences/ seminars/ workshops outside the country, prior permission of the Finance Department shall be necessary. v) Short-term training/camps such as farmers/Youth/NCC camps etc., full powers to the AD subject to expenditure as per norms approved with prior concurrence of Finance Department.

(All the above delegated financial powers are subject to budget availability. The available budget should also be spent in a proportionate manner so that demands for additionality in the budget allocation are not created.)

S.O.E.	DEFINITION/EXPLANATION	DELEGATION OF FINANCIAL POWERS SUBJECT TO BUDGETARY PROVISION
		vi) For expenditure on gratuitous relief/ compensations, full powers to the Controlling Officers as per the rates/ norms notified by the Government with prior concurrence of the Finance Department.
		vii) For all other expenditure not classified under any of the SOEs in this list, the powers in each such case will be as under :- a) Admn. Secys. - Rs. 20,000/- b) HODs - Rs. 10,000/-
17. MAINTENANCE	It records expenditure on repair and maintenance of all works including wages and materials.	Full powers to Controlling Officers subject to a) the availability of LOC; b) the condition that no additional persons shall be engaged beyond the numbers for daily waged workers fixed with the approval of Finance Department; and c) all purchases shall be regulated by the procedure outlined for material and supplies.
18. INTEREST	It records payment of interest on loans raised by Government.	All cases to be referred to the F.D.
19. REFUNDS	It records expenditure specifically provided in budget.	All cases to be referred to the F.D.
20. WRITE OFF-LOSSES	It records write off of loans and advances due to Government and waiver of interest.	All cases to be referred to the F.D.

(All the above delegated financial powers are subject to budget availability. The available budget should also be spent in a proportionate manner so that demands for additionality in the budget allocation are not created.)

S.O.E.	DEFINITION/EXPLANATION	DELEGATION OF FINANCIAL POWERS SUBJECT TO BUDGETARY PROVISION
21. SUMPTUARY ALLWANCES	It includes expenditure under this head as per the pattern approved by the Government for various Government functionaries.	Full powers to the concerned officers as per the norms fixed by the Government with prior concurrence of Finance Department.
22. COMPENSATIONS	It records expenditure specifically provided in budget	All cases to be referred to the F.D.
23. MOTOR VEHICLES	It includes expenditure on purchase, repair and running (including POL) of light vehicles, buses, trucks, ambulances, LCV, motorcycles, scooters but will not include earth moving and allied machinery such as dozers, rollers, hoppers, tippers, compressors and snow cutters etc.	a) Purchase of new vehicles including those by way of replacements only with prior concurrence of the Council of Ministers through F.D. b) For repairs/spare parts/consumable accessories, full powers to the Controlling Officers.
24. MACHINERY & EQUIPMENT	It includes expenditure on all kinds of equipment and machinery of a non-consumable nature relating to the functional needs of a department and shall not include any other items admissible under any other SOE (e.g. OE, MV, OC, M&S etc.)	HOD will be competent to effect purchases upto Rupees one lakh under this SOE for purchases from sources and at rates duly approved by Government through Controller of Stores, DGS&D and any specific orders in this regard. There shall be a purchase committee for all purchases and authorisation of expenditure of M&E in excess of Rupees one lakh. The purchase committee structure shall be as under with the powers mentioned thereto :- a) At the HOD level upto Rs. 50 lakh per annum cumulatively except purchase of vehicle of any kind. This committee shall have the senior most member of the SAS in the department as its member. In some

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(All the above delegated financial powers are subject to budget availability. The available budget should also be spent in a proportionate manner so that demands for additionality in the budget allocation are not created.)

S.O.E.	DEFINITION/EXPLANATION	DELEGATION OF FINANCIAL POWERS SUBJECT TO BUDGETARY PROVISION
		cases where purchases may be necessary to be effected at the District level, the AC (F&A) posted in the D.C. office as Credit Planning Officer will be one of the members. b) At the Administrative Department level full powers except purchase of vehicle of any kind. Provided that no committee shall ordinarily sanction amounts exceeding ¼ of the sanctioned Budget in each quarter. Exceptions involving expenditure in excess of limit, specially where purchase of M&E are directly related to seasonal requirements could be laid down by the A.D. in consultation with F.D.
25.MATERIALS, SUPPLY & STORE	It includes expenditure on material and supplies of a consumable nature pertaining to the functional needs of a department e.g. diet and medicine expenses, raw material for trainees, seeds, fertilizers for farms, etc. (It shall not include any item covered under any other SOE (e.g. OE, M&E, M.V. etc.). It should not also include expenditure on such supplies/materi-als as are chargeable to maintenance/minor works, major works. These should be charged to suspense till	HOD will be competent to effect purchases upto rupees one lakh under this SOE for purchases from sources and at rates duly approved by Government through Controller of Stores, DGS&D and any specific orders in this regard. There shall be a purchase committee for all purchases and authorisation of expenditure of M&S in excess of Rupees one lakh. The purchase committee structure shall be as under with the powers mentioned thereto :- a) At the HOD level upto Rs. 50 lakh per annum cumulatively except purchase of vehicle of any kind. This committee shall have the senior most member of the SAS in the department as its member. In some cases where purchases may be necessary to be effected at the District level, the AC (F&A) posted in the D.C. office as Credit Planning Officer will be one of the members. b) At the Administrative Department level full powers except purchase of vehicle of any kind.

(All the above delegated financial powers are subject to budget availability. The available budget should also be spent in a proportionate manner so that demands for additionality in the budget allocation are not created.)

S.O.E	DEFINITION/EXPLANATION	DELEGATION OF FINANCIAL POWERS SUBJECT TO BUDGETARY PROVISION
		Provided that no committee shall ordinarily sanction amounts exceeding ¼ of the sanctioned Budget in each quarter. Exceptions involving expenditure in excess of limit, specially where purchase of M&S are directly related to seasonal requirements could be laid down by the A.D. in consultation with F.D.
26. MINOR WORKS	It includes expenditure on minor additions/alteration to existing works or new works classified as minor with reference to financial limits.	Full powers for granting administrative approval and expenditure sanction to the HODs. All purchases for minor works will be in accordance with the procedure explained against the SOE M&S.
27. MAJOR WORKS	It is classified with reference to financial limits as per classification of major works in PWD Code. This will also include cost of acquisition of land and structure.	Full powers to A.D. to sanction/incur expenditure as per Government orders on the subject from time to time. The A.D. may delegate appropriate powers to HODs. All purchases shall be in accordance with procedure laid down under Machinery and Equipment/M&S.
28. PENSIONS	It includes donations to service funds and contributory provident funds in addition to payments of pensions and gratuity in all forms to Government servants and members of Vidhan Sabha,	Full powers to the Designated Officers.
29. SOCIAL ECURITY PENSIONS	Freedom fighters/war widows/old age/widow/physically handicapped/ patients of leprosy etc.	Full powers to the HODs as per scheme & rates and numbers approved from time to time in concurrence with F.D.

(All the above delegated financial powers are subject to budget availability. The available budget should also be spent in a proportionate manner so that demands for additionality in the budget allocation are not created.)

S.O.E.	DEFINITION/EXPLANATION	DELEGATION OF FINANCIAL POWERS SUBJECT TO BUDGETARY PROVISION
30. SCHOLARSHIPS/STIPENDS	It includes expenditure on scholarship/stipends to students/trainees under approved Government schemes including one time non-recurring expenditure. This will, however, not include expenditure on short-term camps (e.g. farmers training, Youth Camps, NCC etc.)	Full powers to the HODs/DDOs as per the schemes approved by the State Government from time to time with prior concurrence of Finance Department
31. GRANTS-IN-AID	It includes all grants-in-aid and contribution by Government to any person or body where it is not in the nature of a loan or subsidy.	Full powers to the ADs subject to notification of rule/norms with concurrence of Finance Department. Wherever Utilisation Certificates are required, next quarters release shall be subject to submission of Utilisation Certificates of previous quarter, having been received by A.D.
32. SUBSIDY	It records subsidies approved by Government under schemes of various departments.	Full powers to the AD subject to notification of rates and patterns with prior concurrence of Finance Department.
33. INVESTMENT	It includes equity contribution by State Government in any incorporated body.	All cases to be referred to F.D
34. LOANS & ADVANCES	It includes all loans and advances granted to other Governments, Public Sector Enterprises, undertakings and other Government bodies etc. but will exclude repayments of borrowings. This will also include loans and advances to Government servants and other categories.	All cases to be referred to F.D.

(All the above delegated financial powers are subject to budget availability. The available budget should also be spent in a proportionate manner so that demands for additionality in the budget allocation are not created.)

S.O.E.	DEFINITION/EXPLANATION	DELEGATION OF FINANCIAL POWERS SUBJECT TO BUDGETARY PROVISION
35. REPAYMENT OF BORROWINGS	It records repayments of borrowings undertaken by Government.	All cases to be referred to F.D.
36. SUSPENSE	It records material and supplies purchased for issue to maintenance, minor and major works and which are not immediately charged to the works.	As per the details given against SOE M&S/M&E.
37. HONORARIUM	It includes disbursements to categories like Vol. Teachers/MSK/Home Guard Jawans as well as payments of honorarium for delivery of lectures at training institutions, setting and evaluation of examination papers, preparation of case studies, invigilation duties, honorarium for enumeration or supervision of census and similar work to Government servants.	Full powers to HODs/DDOs on the rates and patterns approved by the Government with prior concurrence of F.D.
38. REWARDS	It records expenditure on any rewards given to Government servants.	As per existing provisions of H.P.F.R. 19.6.

(All the above delegated financial powers are subject to budget availability. The available budget should also be spent in a proportionate manner so that demands for additionality in the budget allocation are not created.)

[Annexure to H.P. Govt., F.D., letter No. Fin 1-C(14)-1/83, dated the 6th September, 1995 as modified vide Corrigendum of even number, dated the 6th February, 1997]

(b) I am directed to say that the State Government *vide* letter No. Fin.1-C (14)-1/83, dated 6th September 1995 have issued the guidelines with regard to implementation of the schemes and incurring expenditure thereunder. Delegations have been given under each standard object of expenditure. All these SOEs are not operative at present under each sub-head in the demand for grants which may now have to be made operative. The budget estimates for the year 1996-97 are to be prepared and finalised in the light of these instructions. To facilitate the finalisations of the provisions under each SOEs which were not operative in the previous years, the 1996-97 Budget proposals should exhibit the actuals of booked expenditure for the past 3 years under new proposed SOEs.

2. The requisite information be sent within 14 days from the receipt of this letter.

[H.P. Govt., F.D., letter No. Fin. 1-C(1)-9/95, dated the 19th October, 1995]

c) इस कार्यालय के समर्सख्यक पत्र दिनांक 22-11-1995 के क्रम को जारी रखते हुए मुझे यह कहने का आदेश हुआ है कि वित्तायुक्त एवं सचिव (वित्त) हिमाचल प्रदेश सरकार के पत्र सख्या फिन-1-सी-(14)-1-83 दिनांक 06-09-1995 द्वारा वित्तीय शक्तियों का पुर्ननिर्धारण किया गया है तथा इस की प्रति आप को भी प्रेषित की गई है। वित्तायुक्त के इस पत्र के संदर्भ में आपने विभागीय अधिकारियों की वित्तीय शक्तियों का आप भी पुर्ननिर्धारण करें तथा जहाँ इन शक्तियों के प्रत्यायोजन की आवश्यकता हो उसके आदेश भी जारी किए जाएं, ताकि आपके विभाग से सम्बन्धित बिलों को जांचते समय कोशों व उपकोशों द्वारा आपत्तियां न लगाई जा सकें।

[H.P. Govt., F.D., Letter No. Fin (TR) A (5)-11/93, dated the 3rd January, 1996]

(d) With reference to the instructions contained in Finance Department O.M. No. Fin-1-C (14)-1/83 dated 6-9-1995 from the Financial Commissioner-cum-Secretary (Finance) to the Government of H.P., I am directed to say that for the year 1995-96 the Departments may be allowed to incur expenditure from the existing SOEs in which the budget provision already stands made and the delegation/budgeting under the revised nomenclature may not be insisted upon. However, the departments are being advised to adhere to the instructions contained in the *ibid* letter strictly for the next financial year.

[H.P. Govt., F.D., letter No. Fin (TR) B (15) 8/75-VI, dated the 29th March, 1996]

(2) Cases involving payment of course fee, etc. in connection with the sponsorship of Government servants for various courses in India.—In view of the delegation mode *vide* Finance Departments' O.M. No. Fin (C)-A(3)-7/77, dated 18-2-1977 *[for treating Government servants as on duty while under training under F.R. 9 (6) (b) (i)]* read with delegation already made *vide* serial No. 1 of Rule 19.6 of H.P. Financial Rules *[now under Order (1) below Rule 19.5]*, such cases need not be sent to the Finance Department and should be disposed of at the level of the Heads of Departments/Administrative Department, as the case may be, according to delegation.

[H.P. Govt., F.D., O.M. No. Fin. (C)-A (2)-1/80, dated the 1st July, 1987]

(3) Continuation of temporary posts - Sanction thereof.—In continuation to this departments letter of even number dated 10-6-1995, I am directed to say that in the delegations made by the F.D. *vide* aforesaid letter, full powers have been given to D.D.Os for payment of salaries and allowances to all the staff in position. Accordingly, the Heads of Departments are authorised to sanction continuation of temporary posts (both plan and non-plan) for the year 1997-78 subject to the following conditions:--.

i) Designation, number of posts, their last creation/continuation order is specified in the sanction together with Head of Account to which expenditure is debitable It is certified that the posts are not vacant. (If posts are vacant, concurrence of the F.D., will be obtained through the A.D.)

ii) A copy of the sanction shall be endorsed, besides others, to A.G., F.D., T.O. and Administrative Department

2. Kindly acknowledge receipt.

[H.P. Govt., F.D., letter No. Fin-I-C (14) 1/83, dated the 4th April, 1997]

(4) Administrative approval and Expenditure sanction under MPLAD Scheme.— The Governor, H.P. is pleased to order that all Deputy Commissioners in H.P. shall be competent to accord Administrative Approval/Expenditure Sanction for the works each costing not more than Rs. 10 lakh under the Members of Parliament Local Area Development scheme (MPLADS) with immediate effect. These powers are specifically for the above Scheme, funds for which are provided by the Central Government. Other conditions relating to works, etc. under the above scheme shall continue to be regulated by. The guidelines issued by the Government of India.

[H.P. Govt., F.D., Notification No. Fin (C) A (2)-2/85, dated the 29th March, 1997]

(5) Administrative approval and Expenditure sanctions under Backward Area Sub-Plan.—The Governor, Himachal Pradesh is pleased to order that the Deputy Commissioners of the District in their respective jurisdiction shall exercise powers to accord Administrative approval and Expenditure sanctions under the Backward Area Sub-Plan subject to the following terms and conditions:–

i) The Scheme/Plans should be approved by the District Level Plan and 20 Point Programme Review Committees.

ii) The Scheme/Plan should have full financial funding and the implementation of this Plan should be time bound.

iii) Before according Administrative Approval and Financial Sanction, the instructions/guile-lines contained in the Planning Department's letter dated 9-8-1996 should be kept in view by the Deputy Commissioners.

The powers to accord Administrative Approval & Expenditure Sanctions in respect of all projects/scheme connected with the Backward Area Sub-Plan shall henceforth vest with the Deputy Commissioners and any powers, if already delegated to Departments under any orders of Finance Departments or any other Department of the Government, shall be treated as modified to this extent from the date of issue of this notification. The Deputy Commissioners shall also ensure that Budget and Provision under specific Heads for specific plans exist in the Budget Books.

This issues with the concurrence of the Finance Department obtained *vide* their letter No. Fin (C)A(2)-2/96 dated 30-11-96.

[H.P. Govt., Planning Deptt., Notification No. PLG-C(1)-2/96, dated the 17th January, 1997]

(5-A) **क्षेत्रीय विकेंद्रीकृत नियोजन (5% चिन्हाकन) के अन्तर्गत प्रशासनिक अनुमोदन तथा वित्तीय स्वीकृति.-** हिमाचल प्रदेश के राज्यपाल, क्षेत्रीय विकेंद्रीकृत नियोजन (5% चिन्हाकन) स्कीम के अन्तर्गत प्रशासनिक अनुमोदन तथा वित्तीय स्वीकृति प्रदान करने की शक्तियाँ उपायुक्तों को प्रत्यायोजित किए जाने के सहर्ष आदेश प्रदान करते हैं।

[हि० प्र० सरकार, योजना विभाग, अधिसूचना संख्या पीएलजी-सी (1)-2/96, दिनांक 11 नवम्बर, 1997]

(6) **Revision/enhancement of powers delegated to officers of Public Works Department.**—The Governor, Himchal Pradesh is pleased to order revision/enhancement of the powers delegated to officers of Public Works Department for Administrative Approval, Technical Sanction and acceptance of Tenders etc. for execution of works and for purchase of Livestock, Machinery, Tools, Plants, etc., with immediate effect. The powers delegated earlier *vide* this Department's Office Memorandum No. 1-6/74-Fin (REG) dated 7-12-1985 (for Tribal areas) and dated 20-12-1986 (for non Tribal areas) and letter No. 13-2/4-PW(B) dated 7-5-1980 (for Technical sanctions etc.) issued by Public Works Department and Finance Department letter No. Fin-2(17)-19/82, dated 22-2-983, Fin-2-1(17)-17/77, dated 1-8-1982, and Fin (C)A(3)-11/77, dated 14-6-79 and *vide* Rule 19.16 of H.P.F.R. shall stand modified to the extent indicated below against specific items:-

Sl. No.	Nature of powers	Authority to which the power delegated	Extent of powers Rs.
	ESTIMATE POWERS		
1.	*Administrative Approval and Expenditure Sanction*		
	i) To convey Administrative approval for road works.	Administrative Department Engineer-in-Chief Chief Engineer Superintending Engineer	Full Powers 75 lakhs 50 lakhs 10 lakhs
	ii) To convey Administrative approval for works other than residential buildings	Admn. Department Engineer-in-Chief Chief Engineer	Full Powers 20 lakhs 10 lakhs
	iii) To convey administrative approval to estimates of expenditure on works in connection with existing residential buildings to meet the requirement of all the Departments.	Admn. Department Engineer-in-Chief Chief Engineer Superintending Engineer	1.00 lakh 20,000 15,000 5,000

Sl. No.	Nature of powers	Authority to which the power delegated	Extent of powers Rs.
1	2	3	4
	iv) Administrative approval to expenditure on all works in connection with the construction, purchase or conversion of a building to be used as a residence of Government servant	Admn. Department	1.00 lakh
		Engineer-in-Chief	20,000
		Chief Engineer	15,000
		Superintending Engineer	5,000
	(v) Administrative approval to expenditure on original works in connection with existing residential buildings and on works in connection with P.W.D. Rest Houses and Inspection Banglows & Civil Rest Houses/Dak Banglows.	i) For Residential Buildings	As at Item No. 1 (iv) above.
		ii) For Rest houses and Inspection Banglows etc.	
		Administrative Deptt.	5.00 lakh
		Engineer-in-Chief	2.00 lakh
		Chief Engineer	1.00 lakh
		Superintending Engineer	Nil
		iii) For other than Rest Houses	
		Admn. Department	5.00 lakh
		Engineer-in-Chief	2.00 lakh
		Chief Engineer	1.00 lakh
2.	TECHNICAL SANCTION Accord of Technical sanction to detailed estimates	Engineer-in-Chief	Full powers
		Chief Engineer	Full powers
		Superintending Engineer	30 lakhs
		XEN (Selected)	6 lakhs
		XEN (Non-Selected)	3 lakhs
3.	AGREEMENT (i) Acceptance of lowest tender or award of work by negotiations with the lowest tenderer	Engineer-in-Chief/Chief Engineer	Full powers
		Superintending Engineer	30 lakhs
		XEN (Selected)	6.00 lakhs
		XEN (Non-Selected)	3.00 lakhs
		A.E.	30,000
		Above powers are subject to the following conditions:- (i) If the lowest tender is higher than the market rate, approval of next higher authority should invariably be obtained.	

Sl. No.	Nature of powers	Authority to which the power delegated	Extent of powers Rs.
1	2	3	4
		ii) If tender other than the lowest is accepted, approval of Engineer-in-Chief shall be obtained and in the case of Engineer-in-Chief, approval of Admn. Department shall be obtained.	
(ii)	Acceptance of single tender	Engineer-in-Chief Chief Engineer/Addl. Chief Engineer Superintending Engineer XEN (Selected) XEN (Non-Selected)	Full powers 25 lakhs 5 lakhs 30,000 20,000
(iii)	Award of work without call of tenders in emergent cases	Admn. Department Engineer-in-Chief Chief Engineer Superintending Engineer	10 lakh 5 lakh 2 lakh 20,000

NOTE.- This power should be utilized sparingly and in emergency only and the emergent circumstances shall have to be recorded. These powers are to be used under intimation to the next higher officer.

(iv)	Award of work by acceptance of work other than lowest and award of work by negotiation with the tenderer other than lowest.	Engineer-in-Chief Chief Engineer	50 lakh 35 lakh

NOTE .- This power shall be exercised subject to the condition at Sl. No. (ii) of the conditions below item 3 (i) above.

(v)	Award of works by negotiation after infructuous call of tenders with firm which has not quoted for execution for remaining work after the rescion of a contract.	Engineer-in-Chief Chief Engineer Superintending Engineer XEN A.E.	Full powers 25 lakhs 1.50 lakhs 0.5 lakhs 0.05 lakhs

NOTE.- No tender should be called for or accepted, if the expenditure sanction has been exhausted unless revised Admn. Approval and Expenditure Sanction is obtained from a competent authority

Sl. No.	Nature of powers	Authority to which the power delegated	Extent of powers Rs.
1	2	3	4
4.	PURCHASES		
	(i) To sanction the purchase of livestock and the purchase, manufacture and repair of articles included under the minor head 'Tools and Plants' except the purchase of Motor Vehicles.	Engineer-in-Chief	20 lakhs
		Chief Engineer	10 lakhs
		Superintending Engineer	2 lakhs
	(ii) Purchase on rate contract of the COS, H.P.	Engineer-in-Chief/Chief Engineer	Full Powers
		Superintending Engineer	1 lakh per item per annum
		Executive Engineer	20,000 per item per annum
	(iii) Purchase on DGS&D rate contract	(i) Engineer-in-Chief/Chief Engineer	
		a) With the approval of the Government.	Full powers
		b) With the approval of Store Purchase Committee	50 lakhs per item
		c) Under his own authority except Bitumen & Motor Vehicles	2 lakh per item
		(ii) Engineer-in-Chief/Chief Engineer (For Bitumen)	Full powers
	(iv) Purchase from Principal Manufacturers.	Engineer-in-Chief/Chief Engineer	
		(a) With approval of Government	Full powers
		(b) With the approval of Store Purchase Committee	50 lakhs per item

Sl. No.	Nature of powers	Authority to which the power delegated	Extent of powers Rs.
1	2	3	4
		(c) . Self	2 lakh per item
		Superintending Engineer	0.25 lakh per item
		FOR STEEL (i) Engineer-in-Chief	100 lakh from SAIL/TISCO
		(ii) Chief Engineer	75 lakh from SAIL/TISCO
	(v) Local purchases through quotations.	Engineer-in-Chief/Chief Engineer (a) With the approval of Store Purchase Committee	Full powers
		(b) Own authority	2 lakh per item without any limit
		Superintending Engineer	0.30 lakh per item with ceiling of Rs. 3 lakhs per Division.
		XEN	0.10 lakh per item with ceiling of 1 lakh for E.E. (Civil) and Rs. 10,000 per item with ceiling of Rs. 3 lakh for E.E. (Mechanical)
		Asstt. Engineer	Rs. 500 per item with ceiling of Rs. 15,000 per annum
5.	WRITE OFF LOSSES/ STORES ETC.		
	(i) To sanction the writing off finally of the irrecoverable value of store or public money lost by fraud or the negligence of individuals or similar other causes.	Engineer-in-Chief Chief Engineer Superintending Engineer	25,000 25,000 2,500

Sl. No.	Nature of powers	Authority to which the power delegated	Extent of powers Rs.
1	2	3	4
	(ii) To write off losses of stock due to depreciation of serviceable stock (i.e. book losses only as opposed to actual losses)	Engineer-in-Chief Chief Engineer Superintending Engineer XEN (Select.) XEN (Non-Select.)	50,000 50,000 30,000 10,000 10,000
	(iii) To sanction write off from return of tools and plants where full value has been recovered.	Engineer-in-Chief/Chief Engineer Superintending Engineer XEN	Full powers 50,000 5,000
	(iv) To write off actual losses of stock.	Engineer in Chief/Chief Engineer Superintending Engineer XEN (Select) XEN (Non-Select)	10,000 5,000 1,000 1,000
	(v) To sanction write off of books rendered unservice-able in their own and subordinate offices, if any.	Engineer in Chief/ Chief Engineer/Superintending Engineer XEN	Full powers Upto Rs. 100/- in each individual case, cumulative Rs. 500/- p.a.

2. Above delegations are subject to Budget availability and procedure prescribed in HPFR Hand Book No. 3 (PWD Code). No further delegations shall be made by the A.D. or Head of Department in pursuance to above delegations. The delegations mentioned above are also in modification of Finance Department's orders bearing No. Fin-1-C(14)-1/83, dated 6-9-1995. Relevant rules of HPFR containing provisions relating to delegations mentioned above may be deemed to have been amended to above extent.

[*H.P. Govt., F.D., Notification No. Fin (C)A(3)-25/75, dated the 30th July, 1996*]

(7) **Revision/enhancement of powers delegated to officers of Irrigation & Public Health Department.**—The Governor, Himachal Pradesh is pleased to order revision/enhancement of the powers delegated to officers of the Irrigation & Public Health Department for Administrative Approval, Expenditure Sanction and acceptance of Tenders etc. for execution of works, purchase of livestock, Machinery, Plants etc., with immediate effect. The powers delegated under specific items indicated below *vide* any earlier orders of this Department or IPH Department shall stand modified as given below against each specific item:–

Sl. No.	Nature of powers	Authority to which the power delegated	Extent of powers Rs.
1	2	3	4
	ESTIMATE POWERS		
(1)	*ADMINISTRATIVE APPROVAL AND EXPENDITURE SANCTIONS*		
	i) To convey Administrative approval and expenditure sanction for construction of irrigation, water supply, flood control, sewerage and buildings (connected with projects)	ADMINISTRATIVE DEPARTMENT	Full powers
		ENGINEER-IN-CHIEF	70 LACS
		CHIEF ENGINEER	50 LACS
		SUPERINTENDING ENGINEER	10 LACS
	(ii) To convey Administrative approval and expenditure sanction of existing residential buildings i.e. Inspection Bunglows	ADMN. DEPARTMENT	5 LACS
		ENGINEER-IN-CHIEF	2 LACS
		CHIEF ENGINEER	1 LACS
	(iii) To convey Administrative approval & Expenditure Sanction in all works connected with purchases or conversion of a building to be used as a residence of a Govt. servant.	ADMN. DEPARTMENT	1 LAC
		ENGINEER-IN-CHIEF	20,000
		CHIEF ENGINEER	15,000
		SUPERINTENDING ENGINEER	5,000
	(iv) Accord of Technical sanction to estimates of civil works	ENGINEER-IN-CHIEF	FULL POWERS
		CHIEF ENGINEER	FULL POWERS
		SUPERINTENDING ENGINEER	30 LACS
		XEN (SELECTED)	6 LACS
		XEN (NON-SELECTED)	3 LACS

NOTE.- These powers shall be exercised subject to the following conditions :-

i) That there is a specific budget provision for the work.

ii) If expenditure is sought to be met by re-appropriation, Finance Department's prior approval shall be obtained.

Sl. No.	Nature of powers	Authority to which the power delegated	Extent of powers Rs.
1	2	3	4
		iii) The powers to accord revised Admn. Approval and Expenditure Sanction shall be vested with the next authority above the authority which sanctioned original Admn. Approval and Expenditure Sanction. In case of Admn. Approval and Expenditure Sanction accorded by the A.D, no revised Admn. Approval & Expenditure sanction shall be issued without prior approval of Finance Department.	
2.	AGREEMENT		
	(i) Acceptance of lowest tender	ENGINEER-IN-CHIEF	FULL POWERS
		CHIEF ENGINEER	200 LACS
		SUPERINTENDING ENGINEER	30 LACS
		EXECUTIVE ENGINEER (SELECTED)	6 LACS
		EXECUTIVE ENGINEER (NON-SELECTED)	3 LACS
		ASSISTANT ENGINEER	30,000
		NOTE .- Provided that all such cases may be referred to the next higher authority where the lowest tender is more than 10% of the amount of justification worked out by the Deptt.	
	(ii) Acceptance of Single Tender	ENGINEER-IN-CHIEF	FULL POWERS
		CHIEF ENGINEER	15 LACS
		SUPERINTENDING ENGINEER	5 LACS
		EXECUTIVE ENGINEER (SELECTED)	30,000
		EXECUTIVE ENGINEER (NON-SELECTED)	20,000
	(iii) Award of work by negotiations *ab-initio* after infructuus call of tenders with a firm which has not quoted for the execution for the remaining work after rescion of a contract.	ENGINEER-IN-CHIEF	FULL POWERS
		CHIEF ENGINEER	25 LACS
		SUPERINTENDING ENGINEER	1.5 LACS
		EXECUTIVE ENGINEER	50,000
		ASSISTANT ENGINEER	5,000

Sl. No.	Nature of powers	Authority to which the power delegated	Extent of powers Rs.
1	2	3	4
		NOTE .- No Tender should be called for or accepted if the expenditure sanction has been exhausted, unless revised Administrative Approval and Expenditure Sanction is obtained from the competent authority.	
	(iv) Award of work orders for works and repairs (annual limit)	ENGINEER-IN-CHIEF	50,000
		CHIEF ENGINEER	20,000
	(v) To undertake deposit works at full rate of departmental charges.	ENGINEER-IN-CHIEF	FULL POWERS
		CHIEF ENGINEER	FULL POWERS
		SUPERINTENDING ENGINEER	25 LACS
		EXECUTIVE ENGINEER	2 LACS
3.	PURCHASES		
	(i) To sanction direct purchase of stores from local market after exhausting all the approved sources of supply and the rate contract arranged by the Controller of Stores i.e. local purchases through quotations	ENGINEER-IN-CHIEF	FULL POWERS WITH THE APPROVAL OF STORE PURCHASE COMMITTEE
			2 LACS PER ITEM EPR ANNUM
		CHIEF ENGINEER	AS ABOVE FOR E-IN-CHIEF
		SUPERINTENDING ENGINEER	30,000 PER ITEM PER ANNUM WITH A CEILING OF 2 LACS PER DIVISION PER ANNUM.
		EXECUTIVE ENGINEER	10,000 PER ITEM PER ANNUM WITH A CEILING OF 1 LAKH PER SUB DIVISION PER ANNUM.

Sl. No.	Nature of powers	Authority to which the power delegated	Extent of powers Rs.
1	2	3	4
		ASSISTANT ENGINEER	500 PER ITEM PER ANNUM WITH CEILING OF 15,000 P.A.
	(ii) To sanction purchase of livestock and the purchase, manufacture and repair of articles under the minor head "T&P" except purchase of motor vehicles.	ENGINEER-IN-CHIEF	20 LACS
		CHIEF ENGINEER	10 LACS
		SUPERINTENDING ENGINEER	2 LACS
	(iii) Purchase on rate contract of the Controller of Stores, H.P.	ENGINEER-IN-CHIEF	FULL POWERS
		CHIEF ENGINEER	FULL POWERS
		SUPERINTENDING ENGINEER	1 LAKH PER ITEM PER ANNUM WITH CEILING OF 20 LACS
		EXECUTIVE ENGINEER	20,000 PER ITEM PER ANNUM WITH CEILING OF 5 LACS P.A.
	(iv) Purchase on DGS&D rate contract	ADMINISTRATIVE DEPARTMENT	FULL POWERS
		ENGINEER-IN-CHIEF	FULL POWERS WITH THE APPROVAL OF GOVERNMENT. 50 LACS PER ITEM PER ANNUM WITH APPROVAL OF STORES PURCHASE COMMITTEE 2 LACS PER ITEM PER ANNUM (OWN AUTHORITY) EXCEPT MOTOR VEHICLES.

Sl. No.	Nature of powers	Authority to which the power delegated	Extent of powers Rs.
1	2	3	4
			FULL POWERS FOR BITUMEN
		CHIEF ENGINEER	AS ABOVE FOR E-IN-C.
	(v) Purchase from principal manufacturers.	ENGINEER-IN-CHIEF	FULL POWERS WITH APPROVAL OF GOVERNMENT
			50 LAC PER ITEM WITH THE APPROVAL OF STORES PURCHASE COMMITTEE
			2 LAKH PER ITEM PER ANNUM (OWN AUTHORITY)
		CHIEF ENGINEER	AS ABOVE FOR E-IN-CHIEF
		SUPERINTENDING ENGINEER	25,000 PER ITEM PER ANNUM
		FOR STEEL	
		ENGINEER-IN-CHIEF	100 LACS PER ANNUM FROM SAIL/TISCO
		CHIEF ENGINEER	75 LACS PER ANNUM FROM SAIL/TISCO
4.	Powers to accord approval of Minor Works	ENGINEER-IN-CHIEF	FULL POWERS SUBJECT TO AVAILABILITY OF BUDGET
		CHIEF ENGINEER	AS ABOVE FOR E-IN-C

2. Above delegations are subject to the budget provisions and procedure prescribed in the H.P.F.R. Hand Book No. 3 (PWD Code). No further delegation shall be made by the A.D. or the Head of Department in pursuance to above delegations. The above delegations are also in modification of Finance Department's orders bearing No. Fin-1-C (14) 1/83, dated 6th September, 1995 in respect of specific items given above. Relevant rules of the H.P.F.R. containing provisions relating to above delegations shall be deemed to have been amended to above extent.

[H.P. Govt., F.D., Notification No. Fin (C) A (2)-4/96, dated the 15th November, 1996]

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19.6. *Contingencies, stores, fees, compensations, remuneration, etc. (rules 8.3 and 15.2)*

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
1 to 12.	*Not printed. See Order (1) below Rule 19.5*		
13.	To approve of the undertaking the defence of Governments servants in criminal proceedings at the expense of Government.	*[Not printed. See Order (1) below Rule 19.5]*	Full powers subject to the condition that the actual cost of the defence shall be paid as per the norms laid down by the Law Department/ Prosecution Deptt.
14.	To reimburse a Government servant whose conduct has been the subject of enquiry for expenditure on account of— (i) defence witnesses; and (ii) fees of counsel	*[Not printed. See Order (1) below Rule 19.5]*	Provided that - *(i) in the case of witnesses* – (a) payment of expenses to non-official witnesses summoned for the prosecution of defence, should be made according to the rates

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Column No. 4 against Serial No. 13 substituted *vide* H.P. Govt., F.D., O.M. No. Fin (C)-A(3)-11/77, dated the 14th June, 1979

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
			specified in the High Court Rules and Orders in respect of witnesses attending Civil Courts;
			(b) government servants summoned as witness should be given the usual certificates of attendance to enable them to draw their normal travelling allowance and the daily allowance to which they are entitled in accordance with the provisions of the Himachal Pradesh Civil Services Rules, Volume III, Travelling Allowance Rules;
			(c) the expenditure on non-official witnesses should be debited to the same head of account to which the pay of the officer/official concerned is debitable, when an enquiry is proceeding against him;
			(d) payment to non-official witnesses should be made out of the contingent grants of the offices/departments concerned;
			(e) the charges of those witnesses only should be paid whom the Commission or Inquiry Officer declares to be necessary witnesses;

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
			(ii) *in case of fees of counsel–* (a) when the Government servant is allowed to be represented by a counsel, reimburse-ment of the fees of the counsel, should be allowed in cases where the officer/ official under suspension is successful in clearing himself. In other cases the request for the reimbursement should be considered on merits; and (b) reimbursement should be done at the rates specified by the Law Department for payment of fees to counsel in criminal cases.
		[Not printed. See Order (I) below Rule 19.5]	In the cases of expenditure on witnesses only subject to the condition in (I) above
15.	*[Not printed. See Order (I) below Rule 19.5]*		

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
16.	To grant compensation to Government employees under Workmen's Compensation Act.	*[Not printed. See Order (1) below Rule 19.5]*	Full powers subject to the advice of the Legal Remembrance to Government being first obtained.
		—do—	Upto Rs. 10,000 subject to the advice of the Legal Remembrancer to Government being first obtained.
17.	To grant cash rewards to meet funeral and other unavoidable expenses to the relations of all Government servants drawing pay up to Rs. 350 per mensem who are killed or die of injury received as a result of special risk of office in the performance of their duties.	Heads of Departments.	Subject to a maximum of Rs. 500.

Note.– The term "special risk" is defined in the Himchal Pradesh Civil Services Rules, Volume II.

18. to 39.	*[Not printed. See Order (1) below Rule 19.5]*		
40.	To sanction the remittance of money order at Government expense to establishment serving at a distance of more than 8 kilometres from the nearest treasury or from the remitting office in which such charges are drawn.	*[Not printed. See Order (1) below Rule 19.5]*	Full powers in respect of pay, allowances, contingent charges, rewards and travelling allowance of establishment; provided the money order commission should not amunt to more than the travelling allowance payble, if a messenger were sent to encash the bill, cash order or Government draft, as the case may be.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
	Note.– In special circumstances, e.g., when a suitable messenger is not available or the journey is risky, etc., the Head of Department or Commissioners of Divisions may permit such remittance even though the money order commission exceeds the travelling allowance that might be payable, had a messenger been employed.		
41.	To sanction remittance of scholarships	[*Not printed. See Order (1) below Rule 10.5*	Full powers
42.	To sanction the remittance of money at Government expense through private banks on payment of commission at the places where there is no branch of the State Bank.	*Not printed. See Order (1) below Rule 19.5*]	Full powers in respect of pay, allowances, contingent charges, rewards and travelling allowances of establishments.
43.	To grant rewards to patwaris for work done in connection with settlement	Settlement Officer.	Provided— (a) the Settlement Officer certifies that the work done was special and outside the ordinary course of the patwaris duties; (b) that the total amount to be paid in the rewards does not exceed the amount of the fine recovered from patwaris during the year.
44.	To grant rewards to patwaris for work done in connection with settlement if the amount proposed as rewards exceeds the amount realised in fines.	Commissioners of Divisions	Full powers.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
45.	To grant rewards to members of the temporary settlement and colony establishment	Settlement Officer and Coloni-zation Officer.	Full powers subject to budget provision.
46.	To grant rewards to patwaris, lambardars and chowkidars for reporting outbreaks of disease.	Deputy Commissioner	Not exceeding Rs. 20 in any one case and to be given on the recommendations of the D.A.H.O. of the area concerned.
[1]46-A.	To grant, in cash, rewards of gallantry awards	Director, Sainik Welfare, H.P.	Full powers at the rates and on the conditions prescribed by the Government in General Administration Department and scrutiny of the cases through the concerned Revenue Offices.
47.	To grant rewards to patwaris for reporting cases of plague, cholera and smallpox.	Deputy Commissioners.	Upto Rs. 10 in any one cases, and provided that recommendation for a reward is made by the Director, Health Services.
48.	To grant rewards to patwaris for consolidation of holdings.	Director, Consolidation of Hold-ings.	Upto Rs. 50 for each complete village consolidated.
49 to 51.	*[Not printed. See Order (1) below Rule 19.5]*		

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[1] Sl. No. 46-A added vide H.P. Govt., F.D., Notification No. 15-4/71-Fin (R&E) dated the 9th May, 1972 and amended vide Notification No. 1-3/74-Fin (Reg), dated the 5th September, 1975 and Notification o. Fin (C)A-(2)-3/79, dated the 24th April, 1992

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
52.	To sanction the remittance by money order at Government expense of the pay, travelling allowance and contingent charges of all patwaris except those stationed at tehsil headquarters.	[*Not printed See Order (1) below Rule 19.5*]	Full powers.
	FOREST DEPRTMENT		
53. to 55.	[*Not printed. See Order (1) below Rule 19.5]*		
[1]56.	To grant rewards in forest cases	Magistrates deciding cases under the Indian Forest Act	Upto Rs. 200 in each case provided the total amount of the reward does not exceed the estimated value of the property confiscated plus the amount of any fine imposed.
		Conservators of Forests	Out of the sum accepted as compensation under Section 68 of the Indian Forest Act, provided that it does not exceed three-fourth of the amount realized. OR Upto 10 % of the value of forest produce seized subject to ceiling of Rs. 1,000 (Rupees one thousand) in each case to such

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[1] Column No. 4 of Sl. No. 56 substituted *vide* H.P.Govt., F.D., O.M. No. 1-5/74-in.(Reg), dated the 24th April, 1981

Serial No. 1	Nature of power 2	Authority to which the power is delegated 3	Extent of power delegated 4
			informer(s)/private individual(s)/non-gazetted staff of the Department on the basis of whose information illicit produce is seized or who assist in apprehending illicit timber resulting in conviction of the offender by the Court or the case is impounded.
	[1]To grant rewards in departmental cases.	Consevators of Forests, Soil Conservation	Out of the sum accepted as compensation under Section 68 of the Indian Forest Act, provided that it does not exceed ¾ th of the amount realised OR 10 % of the value of produce seized subject to ceiling of Rs. 1,000 in each case to such informer, private individual.
57. to 61.	*[Not printed. See Order (I) below Rule 19.5]*		
	EXCISE AND TAXATION DEPARTMENT		
62.	To grant rewards in Excises /cases	Deputy Commissioners	Rs. 200. This being the aggregate limit to rewards in any one Excise case.
		Excise & Taxation Commissioner	Rs. 1,000 subject to the above condition

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[1] Under Sl. No. 56 powers delegated to Conservators of Forests, Soil Conservation by H.P. Govt., F.D., Notification No. 1-5/74-Fin.(Reg), dated the 18th January, 1982.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4

Provided that if a reward is proposed for any Government servant of a status higher than a Naib-Tehsildar or a a Sub-Inspector of Police or Excise Inspector the previous sanction of Government must be obtained and that no reward for a Government servant exceeding in any case Rs. 1,000 may be granted except after consultation with the Finance Department.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated	
63.	To grant rewards to informers in sales tax cases.	Excise and Taxation Commissioner	Rs. 1,000 in any one sales tax case	Subject to the conditions laid down in the rules for the grant of rewards to informers in sales tax cases.
		Administrative Department.	Above Rs. 1,000 in any one sales tax case	

REVENUE (STAMP) DEPARTMENT

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
64.	*[Not printed. See Order (1) below Rule 19.5]*		
65.	To grant a reward to any person not in the service of Government who has definitely contributed to the conviction of any offender under the Indian Stamp Act, 1899, or the Court Fees Act, 1870.	Collectors.	Upto Rs. 50 in any one case.
66.	To grant a reward to an official or non-official, who has definitely contributed to the conviction of any offender under the Indian Stamp Act, 1899, or the Court Fees Act, 1870.	Financial Commissioner	Upto Rs. 100 in any one case.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
		GENERAL ADMINSITRATION	
67. to 72.	*[Not printed. See Order (1) below Rule 19.5]*		
		ADMINISTRATION OF JUSTICE	
73. to 76.	*[Not printed. See Order (1) below Rule 19.5]*		
77.	To sanction the remittance by money order at Government expense of money under the rules for the conduct of Sheriff's petty accounts.	*[Not printed. See Order (1) below Rule 19.5]*	Full powers in respect of one box or safe per office.
78.	*[Not printed. See Order (1) below Rule 19.5]*		
		JAIL DEPARTMENT	
79.	To grant rewards for recapture of escaped prisoners.	Inspector General of Prisons	Upto Rs. 500.
80.	To grant rewards to Warders and Head Warders for good work within the course of their ordinary duties.	-do-	Upto Rs. 10 in any one case, provided that the total rewards granted for good paper making shall not exceed Rs. 250 a year.
81.	To grant rewards to persons not employed in the Jail Department for furnishing valuable information.	-do-	Upto Rs. 250 in any one case, subject to the rules in the Jail Manual.
82. to 84.	*[Not printed. See Order (1) below Rule 19.5]*		

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4

POLICE DEPARTMENT

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated	
85.	To grant rewards to Policemen, Informers, etc.	Superintendents of Police.	Upto Rs. 100	Subject to the rules laid down in the Police Rules
		Deputy Inspector General of Police and the Assistant Inspector General of Police.	Upto Rs.400	
		Inspector General of Police.	Within budget limits.	

H.P. GOVT. ORDER

(1) I am directed to refer to your letter No. B.1-2/81-13546, dated the 2nd July, 1983 on the subject above and to state that the Governor of Himachal Pradesh is pleased to enhance the financial powers of officers under the Punjab Police Rules as applicable in Himachal Pradesh, as shown under Col. 5:--

Sl. No.	Nature of power	Authority to which the power is delegated	Extent of power delegated	Enhanced power
1	2	3	4	5
65	To grant rewards to Policemen, Informers, etc	Supdts. of Police, A.I.G. of Police, Rly & Traffic, A.I.G., Hqrs	Upto Rs. 100.	Upto Rs. 500 in each case.
		Dy. Inspectors General of Police.	Upto Rs. 400.	Upto Rs. 1,000 in each case.
		Inspt. Genl. of Police	Within budget limits.	

This issues with the concurrence of F.D. *vide* their Dy. No. 2189-Fin(C)-A(2)-3/83, dated 24-11-1983.

[H.P. Govt., Home Deptt., letter No. Hom (A)-C(5)-1/79, dated the 17th December, 1983 to the I.G. of Police, H.P.]

EDUCATION DEPARTMENT

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
93.	To authorise Head-masters of Government Schools situated at places where there are no treasuries or sub-treasuries, to remit fees to the nearest treasury or sub-treasury by money order and to charge money order commission to school contingencies.	*[Not printed. See Order (I) below Rule 19.5]*	Full powers.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
94. to 100.	*[Not printed. See Order (1) below Rule 19.5]*		
	AGRICULTURE, ANIMAL HUSBANDRY, FISHERIES AND HORTICULTURE DEPARTMENS		
101.	To grant a reward to any person not in service of Government for detecting poachers in fish sanctuaries.	(1) Director of Fisheries	(1) Full powers subject to the budget provisions.
		(2) Assistant Directors of Fisheries.	(2) Up to Rs. 10 in any one case and provided the total amount of the rewards paid during any financial year does not exceed Rs. 200.
102. to 104.	*[Not printed. See Order (1) below Rule 19.5]*		
105.	To sanction the remittance by money order to the nearest treasury or sub-treasury of the income of farms which are situated beyond a radius of 8 K.M. and to charge the money order commission to contingencies	*[Not printed. See Order (1) below Rule 19.5]*	Full powers
106. to 108.	*[Not printed . See Order (1) below Rule 19.5]*		
109.	To grant rewards for destruction of fish enemies as under:-- (a) Rs. 2 each for others.	Director of Fisheries	Subject to budget provision.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
	(b) Rs. 3 each for crocodiles over 3 metres in length from tip of tail to mouth and Re. 1 for 3 metres and under. (c) 25 paise per bird for cormorants and fish eagles. (d) Six paise per egg for crocodile eggs.		
110. to 130.	*[Not printed. See Order (1) below Rule 19.5]*		
		TRANSPORT DEPARTMENT	
131. to 140.	*[Not printed. See Order (1) below Rule 19.5]*		
141.	To incur expenditure on claims for compensation arising out of accidents awarded by Courts of Law.	*[Not printed. See Order (1) below Rule 19.5]*	Full powers within the budget allotment provided that all cases which reveal negligence on the part of individuals should be communicated to the Accountant General through the Finance Department.
142.	To incur expenditure on claims of compensations arising out of accidents in cases other than Court awards.	*[Not printed. See Order (1) below Rule 19.5]*	Upto Rs. 2,000 in each case subject to the claims being pre-audited by the Accountant General before payment and to the advice of the Legal Remembrancer to Himachal Pradesh Government being first obtained.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
*143	To incur expenditure on claims arising out of accidents in cases other than Court award.	*[Not printed. See Order (I) below Rule 19.5]*	Upto Rs. 50 in each case provided all cases which reveal negligence on the part of any individual should be communicated to the Finance Department.

*Note.--If the repairs charges resulting from minor accidents do not exceed Rs. 200 in any case, the expenditure will be met out of the contingent grant of the service as in the case of ordinary repairs servicing due to normal wear and tear.

144. to 145. *Not printed. See Order (I) below Rule 19.5]*

H.P. GOVT. ORDER

(I) Reward Scheme for informants who render credible information leading to registration of a criminal case in the matters relating to leakage of Government revenue and corruption. – The Governor, H.P. is pleased to make the Reward Scheme for informants who render credible information so as to check corruption etc. in Himachal Pradesh as per Annexure 'A' with immediate effect.

[H.P. Govt., Home Deptt. (Vigilance), Notification No. Per (Vig.) F(2) 1 97, dated the 31st October, 1997]

ANNEXURE - 'A'

REWARD SCHEME

Object.— The object of the scheme is to check :-

a) evasion of taxes and duties.
b) pilferage of forest produce like timber, resin and Khair wood and electric energy.
c) Loss of Government revenue etc.
d) Corruption in Government Department and its instrumentalities.

Scope.— This Scheme is designed to cover.-

The cases against the public servants
(1) relating to :-
a) disproportionate assets movable and immovable property:

b) unaccounted money, i.e., cash in possession of delinquents/suspected persons:

c) un-accounted bullion like jewellery, valuable securities and other precious items.

(2) resulting to offences under enactments mentioned in the annexure-A-A (an illustrative list & non-limitative) provided that offence involves :-

a) the wrongful loss to the Government exceeding Rs. 30,000/-; or

b) in the case of loss to the H.P. State Electricity Board exceeding the limits laid down in their circular letter No. 224/96 dated 10.4.96.

Percentage of amount and maximum limit. – 25% of the value of the recovery or gain to the State Exchequer will be given to the informant subject to a maximum limit of Rs. 1.00 lacs per case. Provided that the Government can in exceptional cases with the prior concurrence of the Finance Department extend the upper limit of Rs. 1.00 lacs.

Stages in which reward will be released. – Advance award may be paid to the informers :-

I. In cases other than of the disproportionate assets :-

(1) 15% as initial payment on the registration of complaint on the basis of credible information supplied by the informant and preliminary inquiry if required, conducted within a month from the date of information.

(2) 10% as second and final payment on the conclusion of the trial in the trial court in case of

a) cancellation report, where accused remained un-traced but the property/cash has been seized;

b) conclusion of trial resulting in -

i) conviction;
ii) acquittal on technical grounds in which case either property is confiscated or is not claimed;

II) In the cases, relateable to the disproportionate and unaccounted assets :-

(1) Rs. 20,000/- on the registration of complaint on the basis of the credible information supplied by the informant and on preliminary inquiry conducted within a period of one month from the date of receipt of such information;

(2) Rs. 50,000/- on the successful prosecution of the case;

Provided that the first instalment of the award shall be released to the informant only on the execution of the bond to the extent that in case the information given by him proves to be false, baseless or it is found that it has been given to implicate any person to serve his own personal ends, he will return the amount of award received by him.

Sanctioning Authority. – (1) Sanctioning authority shall be the committee comprised of at :-

District Level	Head of Department	State Level
1. Deputy Commissioner (Chairman)	1. Head of Deptt. Chairman	1. Secretary of the Administrative Deptt.
2. Officer of the concerned District Level	2. Officer-in-charge of the Police/Vigilance Department handling the case	2. Finance Secretary
		3. Secretary (Law)
3. Superintendent of Police		4. Secretary (Vigilance)

(2) The monetary limit for sanction of rewards to informers shall be as under :-

	Sanctioning Authority	Monetary limit for sanction of rewards to
a)	District Level Committee	Rs. 20,000/-
b)	Heads of Department Level Committee	Rs. 20,000/- to Rs. 50,000/-
c)	State Level Committee	More than Rs. 50,000/-

(3) The award shall be given by the District Level Committee under this Scheme, after ascertaining the legal opinion of the District Attorney or the District Attorney (Vigilance).

Proportion of amount to be distributed among various informants.—In case more than one informants give information relating to the same case, then this amount of 25% will be distributed among all the informants depending on their contribution in the detection of the economic offence/crime. The proportion in which this amount will be distributed among the informants will be entirely on the discretion of the sanctioning authority.

Recipients of information. – At the district level such complainants/secret reports shall be received by the Deputy Commissioner. At the Department/Government level, the concerned Head of Department/Secretary (Vigilance) will be competent to receive such applications/informations. Whenever the Deputy Commissioner or Head of Department receives such a complaint they will keep Secretary (Vigilance) informed about it and get necessary action initiated (if required) through Vigilance/Enforcement Wings.

Secrecy of the information.—The sanctioning authority i.e., Deputy Commissioner or Head of the Department or concerned Secretary (as the case may be) shall handle such complaints himself and the entire case will be processed by him/her personally. Whenever a field verification is required to be done, the source of information will not be divulged to other officers/officials in the office/department.

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Preliminary Inquiry and immediate raid.—The Deputy Commissioner can direct the Dy. S.P.(Vig.) or District Police to conduct an immediate inquiry/raid. Such a preliminary inquiry/raid can also be got conducted through the District Level Officers of the concerned department, if the allegations are not against such an officer. Deputy Commissioner's control over Dy. S.P. (Vig.) shall be confined to such immediate raids etc. only. Thereafter, the enquiry etc., will be done as per departmental hierarchy and norms.

The preliminary enquiry will be completed within a month.

Applicability and incentive to Government employees.—Scheme is applicable in case of officers/officials, who do exemplary work to prevent leakage of revenue from the State Exchequer.

If the informant happens to be Government Officer/Official, there should be a capping on the amount as they have greater access to the confidential information pertaining to the Department in which they are working. The threshold value in case of officers especially entrusted with such duties (e.g. Flying Squads) should be atleast 50% above the normal average.

Source of funds.—Separate funds under the appropriate SOE will be made available to the Secretary (Vig.) by the Finance Department. This budget will be maintained by Secretary (Vig.) and the amount will be distributed to various sanctioning authorities in the State as a SECRET FUND. This amount will be released from time to time as per the requirement.

[Annexure 'A' to H.P. Govt., Home Deptt. (Vigilance), Notification No. Per (Vig.) F(2)1 97, dated the 31st October, 1997]

ANNEXURE-A-A

1. The Prevention of Corruption Act, 1988

2. The H.P. Specific Corrupt Practices Act, 1983 and amendments thereto.

3. The Indian Electricity Act, 1910, Sections 24, 39, 40, and 41.

4. The Electricity (Supply) Act, 1948 - Section-79 and rules made thereunder - Abridged Condition of Supply or other statutory instructions issued in exercise of the powers under this Act/Rules.

5. The Punjab Excise Act, 1914 as applicable to H.P.

6.

7. The H.P. Passengers and Goods Taxation Act, 1955.

8. The H.P. Motor Spirit (Taxation of Sales) Act, 1968 - Section-15.

9. The H.P. Entertainment Tax (Cinematography Shows) Act, 1968 - Section 11-12.

10. The H.P. Entertainment Duty Act, 1968 - Section 15, 16, and 17.

11. The H.P. General Sales Tax Act, 1968 - Section 3 read with Section 2(a) and Section 22 of the Act.

12. The H.P. Tax on Luxuries (in Hotels and Lodging Houses) Act, 1979 - Section 3 read with Section 2(a).

13. The Indian Forest Act, 1927 Section 52(a), 52(b), 53, 55, 61, 60, and 72(c).

14. The H.P. Forest (Sale of Timber) Act, 1968 and Rules, 1969.

15. The Wild Life (Protection) Act, 1972 and Rules - Section 50 & 54.

16. The H.P. Resin and Resin Products (Regulation of Prade) Act, 1981 - Section-13.

17. The H.P. Forest Produce (Regulation of Trade) Act, 1982 and Rules Sections 11 & 15.

18. The H.P. Land Preservation Act, 1978 and Rules - Section 17 and 19.

19. The Benami Transaction (Prohibition) Act, 1988.

[Annexure 'A-A' to H.P. Govt., Home Deptt. (Vigilance), Notification No. Per (Vig.) F (2)1/97, dated the 31st October, 1997

19.7. Grants, Concessions, Leases, etc. (Rule 2.46):

The powers in this rule are purely financial and are not to be confused with the powers to execute instruments, which are governed by the orders given in Appendix 5—Part II. They are further subject to general orders contained in Part I of Appendix 5 and any other departmental or local orders on the subject and to the proviso that leases are executed or licences are issued on standard forms wherever prescribed.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
1.	To sanction grants of colony lands.	Revenue Department.	Provided the grant is made in accordance with a colony programme sanctioned by Government after consultation with the Finance Department.

Serial. No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
2.	To sanction leases under the rules contained in the Land Administration Manual of Government Waste Lands not included in any Colonization Scheme within the period of the lease.	The Financial Commissioner.	Upto 150 acres of land whether irrigable by a canal or not for a maximum period of 20 years in each case; provided that the total area held on lease by a single lessee does not exceed 150 acres.
		Commissioners of Divisions.	Upto 75 acres of land not irrigable by canal for a maximum period of 20 years in each case; provided that the total area held on lease by a single lessee does not exceed 75 acres.
3.	To sanction leases of— (i) land	Revenue Department.	Where the lease is made under the rules for the lease of waste lands in Himachal Pradesh contained in the Land Administration Manual and does not relate to land which is included in a colonization scheme, or which is likely to come under perennial canal irrigation.
	ii) land and houses.	Public Works Department.	In all cases whether relating to waste land or not where the lease is for a period not exceeding one year.

Serial. No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
	(iii) fruit trees or grazing of cattle	Public Works and Revenue Departments.	Full powers.
	(iv) houses	Revenue Department.	In all cases where the lease is for a period not exceeding one year.
	(v) fruit trees growing in the compounds of Government educational institutions in the State.	Education Department. Sub-Divisional Officer (Civil), Lahaul and Spiti.	Full powers Full powers.
	(vi) lands attached to educational institutions in the State.	(1) Heads of Institutions.	In all cases relating to Government Colleges, High or Higher Secondary Schools where the lease is for a period not exceeding one year.
		(2) District Education Officers	In all cases relating to Middle/Primary Schools where the lease is for a period not exceeding one year.
4.	To sanction leases or licences of land other than nazul land for construction by private persons of—		
	(i) works of public utility, such as piaos, hand pumps and wells.	Public Works Department	Full powers.
	(ii) approach roads, culverts, steps and balconies etc.	Sub-Divisional, Officer (Civil), Lahaul Valley and Sub-Divisional Officer (Civil), Spiti Valley.	Full powers.

Serial. No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
5.	To sanction leases of lands for agricultural purposes in forest plantations.	Forest Department.	Full powers.
[1]6.	To sanction leases of land to tenants either on cash rent or on batai.	Revenue Department.	Where the lease is for a period not exceeding one year.
		Director Agriculture/ Horticulture/Soil Conservation.	Upto three years and not exceeding an area of five rectangles or squares.
		Sub-Divisional Officer (Civil), Lahaul and Spiti,	Full powers within their jurisdiction where the lease is for a period not exceeding one year.
7.	To sanction leases of— (1) buildings with or without land attached. (2) nazul land both for agricultural and non-agricultural purposes, and (3) escheated building/lands	Deputy Commissioners.	Upto two years provided the amount of the lease money does not exceed Rs. 500 per annum.
		Commissioners of Divisions.	Upto three years provided the amount of the lease money does not exceed Rs. 1,000 per annum
8.	To sanction and confirm lease of nazul buildings, building sites and cultivated and uncultivated plots of land in charge of local bodies, by auction or private treaty.	Local Self Government Department	Upto Rs. 2,000 in each case.

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[1] Under Sl. No. 6, powers delegated to Director of Soil Conservation by H.P. Govt., F.D., Notification No. 1-5/74-Fin (Reg), dated the 18th January, 1982.

Serial. No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
9.	To sanction leases through public auction for temporary cultivation of agricultural Government land in mandis pending development.	Colonization Officer.	Upto 12 acres in each individual case for a period not exceeding 2 harvests (*Kharif* and *Rabi*).
		Administrative Department for the subject of colonization, including development of mandis.	Full powers.
10.	To sanction leases of houses, land or other immovable property belonging to Government.	Administrative Departments.	Upto one year; provided that the rent of the property does not exceed Rs. 200 a month.
11.	To sanction leases of sweets and fruit sellers shops attached to educational and technical institutions.	Heads of Departments	Upto one year.
		Principals of Colleges, Head-masters and Headmistresses of Schools.	Upto one year; provided that the rents are not lower than those fixed by the P.W.D.
12.	To sanction leases of land on batai.	Directors of Animal Husbandry, Agriculture and Horticulture.	Upto three yers, and not exceeding an area of 50 acres (one rectangle).
13.	To sanction leases of land at cash rent assessable according to condition and situation of land.	Directors of Animal Husbandry Agriculture and Horticulture.	Upto two years and subject to a limit of Rs. 1,000 per annum in each individual case.
14.	To sanction leases of land by auction or tender either on cash rent or batai.	-do-	Upto five years and subject to the conditions laid down in items 12 and 13 above.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
15.	To sanction leases of uncultivated plots or land overgrown with scrub to tenants free of rent or at less than a full rent.	Directors of Animal Husbandry, Agriculture and Horticulture.	Upto two years and subject to a limit of Rs. 1,000 annum in each individual case provided that the lease cannot be renewed on the same terms for a third year.
16.	To sanction petty leases for specified purposes, such as water mills, shops, timber depots etc.	(i) Chief Conservator of Forests.	Upto Rs. 5,000 per annum in each case for periods not exceeding five years.
		(ii) Conservator of Forests.	Upto Rs. 3,000 per annum in each case for periods for exceeding five years.
		(iii) Divisional Forests Officers.	Upto Rs. 1,000 per annum in each case for periods not exceeding five years.
17.	To sanction leases for grazing cattle on roadsides.	Superintending Engineers.	Full powers.
		Executive Engineers.	Upto one year, provided the rent does not exceed Rs. 500.
18.	To sanction leases of shops or shop sites in close proximity of jails belonging to Government.	Inspector General of Prisons.	Upto one year provided that the rent of a shop or shop site does not exceed Rs. 200 a month and that the leases are executed on the prescribed forms.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
19.	To sanction leases of canteen contractor's shops in District Police Lines in Himachal Pradesh below the standard rent fixed by the P.W.D.	Inspector General of Police.	Full powers.
20.	To sanction agreements with auctioneers for conducting sales of Government stores by public auction.	Superintending Engineers, P.W.D./M.P.P & P.	Upto one year only and subject to the condition that the terms of the lease are those specified by the Government in P.W.D./M.P.P.& P.
[1]21.	To sanction forest concessions.	Forest Department.	Provided the concession is granted in accordance with the terms of forest settlement.
		Sub-Divisional Officer (Civil), Spiti, for Spiti valley and Sub-Divisional Officer (Civil), Lahaul, for Lahaul valley.	Provided the concession is granted in accordance with the terms of the forest settlement
	To sanction Departmental concessions.	Soil Conservation Department.	Provided the concession is granted in accordance with the Settlement.
22.	To sanction special grants of timber or other forest produce free or at favourable rates for special purposes of public utility.	Forest Department.	Subject to the conditions and limits laid down in the Forest Department Code.

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1. Under Sl. No. 21, powers delegated to Soil Conservation Department by H.P. Govt., F.D., Notification No. 1-5/74-Fin (Reg.), dated the 18th January, 1982.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated	
1	2	3	4	
		Chief Conservator and Conservators.	Upto the value of Rs. 1,000 in each case.	Subject to the principles laid down in in the Forest Department. Code
		All Divisional Forest Officers.	Upto the value of Rs. 100 in each case	
	[1]To sanction special grants of timber or other produce free or at favourable rates for special purposes of public utility	Soil Conservation Department	Subject to the conditions and limits laid down in the Department Code.	
		Director of Soil Conservation.	Upto Rs. 5,000	In each case subject to the principles laid down in the Department Code
		Conservator of Forests, Soil Conservation	Upto Rs.2,500	
		Divisional Forest Officers (in the rank of D.C.F., S.C.)	Upto Rs. 1,000	
		Divisional Forest Officers, Soil Conservation/Asstt. Soil Conservation Officers.	Upto Rs. 100	
23.	[2]To pass orders authorising the sale of forest produce, stores, tools and plant under the Forest Department Code without payment in full of the value at the time of delivery	Forest Department	Upto to amount of Rs. 50,000 each case	
	[3]To pass orders authorising the sale of departmental produce, stores, tools and plant without payment in full of the value at the time of delivery	Soil Conservation Department.	Upto the amount of Rs. 50,000	

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[1] Under SI No. 22, powers delegated at various levels in Soil Conservation Deptt. by H.P. Govt., F.D., Notification No. 1-5/74-Fin (Reg.), dated the 18th January, 1982

[2] Column No. 4 against Serial No. 23 substituted by H.P. Govt., F.D., O.M. No. Fin. (C)-A(3)-11/77, dated the 14th June, 1979.

[3] Powers delegated to Soil Conservation Deptt. under SI. No. 23 by H.P. Govt., F.D., Notification No. 1-5/74 Fin (Reg.), dated the 18th January, 1982.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
24.	To sanction grants of nazul land free of cost to Local Bodies.	Revenue Department.	Subject to the conditions that may have been prescribed by Government.
25.	To levy grass cutting fees and grazing fees on farm servants or contractors' cattle or to allow any member of the public to graze cattle on fixed rates.	Revenue Department	Full powers
		Inspector General of Prisons.	Full powers; provided that the leases are executed on the prescribed forms.
		Director of Agriculture/ Animal Husbandry.	Full powers.
26.	To sanction the sale of animals, grain, cow-dung, stores, etc., surplus to requirements or unserviceable.	Revenue and Animal Husbandry Departments.	Full powers.
27.	To fix rates of Dairy produce.	Director of Animal Husbandry.	Full powers; provided that the rates fixed should not be less than prevailing market rates.
28.	Security bonds for the due performance of duties by Government servants.	Chief Engineers, Superintending Engineers, Divisional Officers, Public Works/ M.P.P. & P.	In the cases of Government servants whom they are empowered to appoint to vacant posts subject to the minima prescribed in the Himachal Pradesh Public Works Department Code.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
29.	To sanction recognisance of property as security.	Chief Engineers, P.W.D./M.P.P. & P.	Full powers.
		Superintending Engineers, P.W.D./M.P.P. & P.	Full powers; provided that the value of the property given as security does not exceed Rs. 3000.
		Divisional Officer, P.W.D./M.P.P. & P.	Full powers; provided that the value of the property given as security does not exceed Rs. 2,000.
30.	To cancel leases of shops or shop sites in close proximity of Jails belonging to Government	Inspector General of Prisons.	Full powers; provided that the cancellation does not entail any payment of an extra-ordinary nature, e.g., by way of compensation.
31.	To sanction renewal for the term of the new settlement of land revenue assignments enjoyed by religious and charitable institutions or rest-houses, the term of which has expired with the expiring settlement.	Financial Commissioner.	All grants of the annual value of Rs. 50 or under.
32.	To convert an assignment of land revenue released for the life or lives of the manager or managers of any religious and charitable institution or rest house into an assignment for the term of the new settlement on the conditions of its proper maintenance even though one or more of the grantees is still alive.	-do-	All grants of the annual value of Rs. 50 or under provided that a grant of which the conditions have been so altered shall in no case be resumed until it is liable to resumption under the conditions on which it was originally made.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
33.	To sanction continuance of village service grants at general re-assessment of district.	Financial Commissioner.	All grants of the annual value of Rs. 20 or under for any period not exceeding the term of the new settlement.
34.	To sanction continuance of religious and charitable grants for the remainder of the term of settlement if the original term of release expires during the period of settlement.	Financial Commissioner.	All grants of the annual value Rs. 50 or under.
35.	To sanction the leases of canteens.	Heads of Departments.	Full powers if the lease of canteen does not involve any loss as compared with the previous year. In respect of a new lease, wide public would be given
36.	To sanction the leases of shoe shine contract, space for putting ice cream cabin, installing a weighing machine on the bus stand, cycle or rickshaw stand, newspaper vend, a pan shop, book-stall etc.	Commissioner for Transport.	Full powers if the lease does not involve any loss as compared with the previous years. In respect of a new lease, wide publicity would be given.

19.8 Scholarships and stipends (Rule 8.3)

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
1. to 11.	*(Not printed. See Order (I) below Rule 19.5)*		

19.9 Expenditure from discretionary grants-in-aid, contributions, donations, etrc. (rule 8.3)

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
1. to 17.	(*Not printed. See Order (1) below Rule 19.5*)		

19.10. Grant of loans and advances to Government servants, Co-operative Societies and other individuals (Rule 10.1)

H.P. GOVT. ORDERS

(1) All cases of loans and advances to other Governments, Public Sector Enterprises, Undertakings and other Government bodies etc. (including loans and advances to Governments servants and other categories) to be referred to Finance Department.—See Order (1) below Rule 19.5 of this Compilation.

(2) Sanctions for loans/advances to spell out rate of interest, periodicity and number of instalments in which recovery is to c effected.—I am directed to refer to the subject cited above and to say that it has been brought to the notice of this Department that in a number of cases, the sanctioning authorities in the Departments, while sanctioning loans do not spell out the rate of interest, periodicity and the number of instalments in which the loan/advance sanctioned to various beneficiaries/employees will be recovered in the sanction letter. Sanction of loans/advances without specification of the above requirement makes such sanction faulty. You are, therefore, requested to issue suitable instructions to all concerned under you to comply with aforesaid requirements while sanctioning loans and advances and make mention thereof invariably in the sanction letters.

(*Para 1 of H.P. Govt., F.D., letter No. Fin 2 C (11) 20/85, dated the 14th July, 1986*)

(3). भवन निर्माणध्कार कय व स्कूटर कय हेतु अग्रिम राशि के स्वीकृति पत्र में वित्त विभाग की सहमति तथा दैनिकी संख्या अंकित करने बारे.-- उपरोक्त विषय पर मुझे यह कहने का निदेश हुआ है कि जिला कोषाअधिकारियों द्वारा विभाग के नोटिस में यह लाया गया है कि विभागाध्यक्ष द्वारा सरकारी कर्मचारियों को मुख्य शीर्श 7610 के अन्तर्गत दिए जाने वाले स्वीकृति पत्र में वित्त विभाग की सहमति जिससे राशि आवन्टित की गई है, का संदर्भ अंकित नहीं किया जाता है जिसके फलस्वरूप कोशों को बिल पास करने में अनावश्यक असुविधा का सामना करना पडता है। अतः आपसे अनुरोध है कि प्रत्येक स्वीकृति पत्र पर वित्त-डी शाखा की दैनिकी संख्या उदधृत की जाए जिससे राशि का आवन्टन किया गया है।

[हि o प्र o सरकार, वित विभाग, पत्र संख्या: फिन (टी आर) (बी) (15)-7/75-9, दिनांक 16 जुलाई, 1996]

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
1.	To sanction house building advances	Heads of Departments and Commissioners of Divisions. Deputy Commissioner, Lahaul & Spiti/Kinnaur.	Subject to the conditions laid down in Chapter X and in accordance with the scheme on the subject and to the funds being available and earmarked by the Government.
2.	To sanction advances for purchase of conveyances.	Departments of Government.	-do-
3.	To sanction advances for purchases of bicycle.	(i) All Heads of Departments and Controlling Officers.	Subject to usual conditions laid down in Chapter X and to the funds being available and earmarked by the Government.
		(ii) Commissioners of Divisions.	For District and Divisional establishment subject to usual conditions laid down in Chapter X and to the funds being available and earmarked by the Government.
		(iii) Deputy Commissioners.	For the staff working in the Development Block and the Training Institutions under the Development and Panchayats Department in the State, subject to the usual conditions laid down in Chapter X and to the funds being available and earmarked by the Government.
4.	To sanction advances for purchase of bicycles to employees of the H.P. Civil Secretariat.	Deputy Secretary to Government (Secretariat Administration).	Subject to the usual conditions laid down in Chapter X and to the funds being available and earmarked by the Government.
5.	To sanction expenses for purchase of typewriters.	Departments of Government and Heads of Departments. Deputy Commissioners Lahaul and Spiti/Kinnaur	Subject to usual conditions laid down in Chapter X and to the funds being available and earmarked by the Government.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
6.	To sanction loans bearing interest to Local Bodies.	Local Self Government Department	Upto Rs. one lakh in each case.
7.	To grant advances of pay to Government servants in the Forest Department.	Conservators of Forests.	Upto one month's pay to the following classes of non-gazetted Government servants on the permanent, establishment serving under them:– (a) Government servants on the executive establishment; (b) Clerks employed in range offices elsewhere than at the headquarters of Divisional Offices; (c) Clerks and Class IV servants who are required to accompany gazetted Government servants on continuous tour likely to last for more than a month. The scope of such advances should be limited to cases where the need for it rises out of the peculiar circumstances of service in the Forest Department; for instance, advances may be granted for the following purposes:–
	[1]To grant advances of pay to Government servants in the Department of Soil Conservation.	Conservators of Forests, Soil Conservation.	

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1. Powers to Conservators of Forests, Soil Conservation under S. No. 7 delegated by H.P. Govt., F.D., Notification No. 1-5/74-Fin (Reg), dated the 18th January, 1982.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
		...	(i) to meet expenses in connection with equipment and purchases of provisions before proceeding or while on tour;' (ii) to meet expenses incurred on account of purchase of paddy or other grain in localities where sup-plies are not readily available; (iii) to meet· expenses incurred on the purchase of articles and clothing on account of theft of property if the theft occurs on tour. (2) Advances of pay should be recovered in three equal instalments beginning with the month following that in which the advance is made.
8.	To sanction expenditure on loans under the State Aid to Industries Act.	Industries Department.	Upto Rs. 50,000 including the amount of any previous loan or loans outstanding against the persons, firm or company.
		Director of Industries.	Upto Rs. 5,000 and subject to the above condition.
9.	To grant loans to the H.P. State Co-operative, Central and Co-operative Mortgage Banks or Co-operative Partnership Tenancy Society registered or deemed to be registered under the Co-operative Societies Act.	Department of Government/ Registrar, Co-operative Societies, Himachal Pradesh	Subject to the conditions that— (i) the aggregate of loans to the Himachal Pradesh State Co-operative Bank Ltd., in any one year for its own financial transactions does not exceed Rs. 5 lakhs/Rs. 3 lakhs.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated	
1	2	3	4	
			(ii) any loan or the aggregate of any loan to any other Bank granted through the Himachal Pradesh State Co-operative Bank Ltd., does not exceed Rs. 1 lac/ 75,000 in any one year; iii) the period for repayment of a loan does not exceed 15 years.	
10.	To sanction the grant loans under Act XIX of 1883.	Tehsildars.	Upto Rs. 1,000 it permitted by the Collector to exercise these powers.	In any individual case within the limits of the funds allotted for the purpose.
		S.D.O. (C)	-do-	
		Collectors.	Upto Rs. 2,500.	
		Commissioners.	Upto Rs. 10,000	
		Financial Commissioner	Upto Rs. 50,000	
			Note.—In time of famine the Commissioner may enlarge the powers of his subordinate officers subject to a report to the Financial Commissioner.	
11.	To sanction the grant of loan under Act XII of 1884.	Tehsildars.	Upto Rs. 250 for cattle, Rs. 50 for seed if permitted by the Collector to exercise these powers.	
		S.D.O. (C)	Upto Rs. 300 if permitted by the Collector to exercise these powers.	In any individual case within the limits of the funds allotted for the purpose.
		Collectors.	Full powers.	

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
12.	To sanction advances to Lecturers/Professors of Government Arts Training and Professional Colleges.	Principal of the College concerned.	One hundred in each case for the purchase of books to build up their private libraries

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Delegation orders of special powers (in addition to those specified for Heads of Departments/Controlling Officers/Dishbursing Officers in the Financial Rules) issued by H.P. Finance Deptt. under Rule 19.2, H.P.F.R., Vol. I.

AGRICULTURE DEPARTMENT

To sanction loan and subsidy in accordance with the approved pattern of financial assistance for Soil Conservation works on agricultural lands.	(i) Director of Agriculture.	In respect of each Soil Conservation Scheme not costing more than Rs. 50,000.
	(ii) Deputy Directors of Agriculture & Project Officers posted in the Districts/Projects areas.	In respect of each Soil Conservation Scheme costing not more than Rs. 25,000.

(H.P. Govt., F.D., Notification No. 17-1/66 Fin (R & E), dated the 1st March, 1972 and No. Fin (C)-A(2) 25/76, dated the 27th October, 1976)

SOIL CONSERVATION DEPARTMENT

Loans and subsidies for the execution of Soil Conservation Schemes	i) Director of Soil Conservation	To incur expenditure between Rs. 50,000 and Rs. 1 lac.
	ii) Conservators of Forests, Soil Conservation	To incur expenditure between Rs. 30,000 and Rs. 50,000
	iii) Divisional Forest Officers/ Assistant Soil Conservation Officers	To incur expenditure upto Rs. 30,000

[Extract from H.P. Govt., F.D., O.M. No. 1-5/74-Fin (Reg.), dated the 18th January, 1982]

19.11. Write off of irrecoverable loans and advances and remission of loans and advances (Rules 10.10 and 10.28)

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
1.	To sanction remission of any portion of a loan under Act XIX of 1883, and Act XII of 1884, found irrecoverable, or when from any special cause it appears that the loan ought not to be recovered.	Commissioners.	In any one case upto the limit of Rs. 1,000 subject to a report to the Financial Commissioner and Accountant General, Himachal Pradesh
		Financial Commissioner	Full powers.

H.P. GOVT. ORDER

(1) **All cases of write off of loans and advances and waiver of interest to be referred to the Finance Department.**—See Order (1) below Rule 19.5.

19.12. Administrative approval to works (Rule 16.5)

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
1. to 7.	*(Not printed. See Orders below Rule 19.5)*		

19.13. Technical sanction to estimates for works [Rule 16.5 (b)]

Note 1.—In respect of items 2 and 3 the following works will be excepted:--

(1) Where skilled civil engineering supervision is required.

Such supervision is not considered necessary in the case of simple works which can normally be entrusted to skilled artisans employed by the Heads of Department concerned.

(2) The construction of building for headquarters office.

(3) The construction of works in connection with residential buildings for which capital and revenue accounts are maintained and all new residential buildings other than those used or intended to be used by the Jail Department.

(4) The construction of such other works as the Finance Department may call upon the Public Works Department to execute.

Note 2.—Before works are executed the administrative approval of the competent authority must be obtained. In executing work an up-to-date record of expenditure sanctioned estimates should be maintained.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
1.	To sanction at cost of State funds the construction of cattle ponds under direct management of Deputy Commissioner.	Commissioners of Divisions.	Upto Rs. 7,000.
2.	To give technical sanction to estimates for expenditure on the construction and repairs of Patwarkhanas.	Director of Land Records.	Full powers.
3.	To give technical sanction to estimates for expenditure on all petty and annual repairs as well as original works or special repairs to buildings—		
	(a) in the charge of Police Department.	(a)(i) Inspector General of Police	Upto Rs. 5,000.
		(ii)Deputy Inspector General of Police.	Upto Rs. 3,000.
		(iii) Superintendents of Police.	Upto Rs. 600.
	(b) used or intended to be used by the Jail Department	(b)(i) Inspector General of Prisons.	Upto Rs. 5,000.
		(ii) Superintendents of Jails	Upto Rs. 3,000.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated	
1	2	3	4	
4.	To give technical sanction to estimates for expenditure on works relating to kutcha-pucca buildings and structures such as kutcha quarters for class IV employees and tenants, implement sheds, dutch-barns, field offices. stores, pucca water-channels, fences, bird-proof cages, etc., at the Government Livestock Farms and the Poultry Farms under control of the Animal Husbandry Department.	Director of Animal Husbandry.	Upto Rs [1](20,000) for each work at the Government Livestock Farms and upto [1](Rs. 10,000) for each work at the Poultry Farms.	Subject to exceptions (1) and (4) in the introductory notes 1 and 2.

H.P. GOVT. ORDER

Under Serial No. 4 of Rule 19.13 of H.P.F.R., Vol. I, the Director of Animal Husbandry is delegated powers to give technical sanction to estimate for expenditure on original works upto Rs. 10,000 in respect of buildings under his administrative charge for maintenance and repairs like the Director of Agriculture/Fisheries/Horticulture.

[H.P. Govt., F.D., O.M., Fin. (C)-A(3)-11/77, dated the 14th June, 1979]

5.	To give technical sanction to estimates for expenditure on original works relating to kutcha-pucca or pucca buildings, and structures such as field offices and laboratories, stores, impl-	Administrative Department.	[2]Full powers.
		Directors of Agriculture/Fisheries/ Horticulture.	Upto to Rs. [3][Rs. 20,000] for each work, subject to exceptions (1) and (4) in the introductory note 1 and note 2.

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(1) Column No. 4 against Sl. No. 4 substituted by H.P. Govt., F.D., Notification No. Fin (C)-A (2) -8/77, dated the 19th August, 1978.

(2) Column No. 4 against Sl. No. 5 substituted and new entry pertaining to Full Powers to Admn. Deptt. in Col. Nos. 3 & 4 against Sl. No. 5 inserted *vide* H.P. Govt. F.D., Notification No. Fin (C)-A(2)-8/77, dated the 19th August. 1978.

(3) The figure of Rs. 10,000 in Col. No. 4 against Sl. No. 5 substituted by H.P. Govt., F.D., O.M., No. 1-6/71-Fin (Reg.), dated the 3rd June, 1982.

Serial No.	Nature of powers	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
	ements, workshop and juice boiling sheds, bullock byers, kutcha or kutcha-pucca or pucca quarters of class IV employees and tenants, pucca wells, tanks, water-channels, culverts, fences, bird-proof cages of the Agriculture/Fisheries and Horticulture Departments and the maintenance and repairs of the buildings and structures put up by the Department.		

Delegation orders of special powers (in addition to those specified for Heads of Deptts/Controlling Officers/Disbursing Officers in the Financial Rules) issued by H.P. Finance Deptt. under Rule 19.2 of H.P.F.R. Vol. 1.

Serial No.	Nature of powers	Authority to which the power is delegated	Extent of power delegated
1	2	3	4

AGRICULTURE DEPARTMENT

	To exercise special powers in respect of according technical approval of schemes relating to works.	Assistant Soil Conservation Officers/ Superintendent Driller in the Agriculture Department possessing degree in Agriculture Engineering/Civil Engineering.	To the extent of Rs. 20,000 within their respective jurisdictions.

[H.P. Govt., F.D., Notification No. Fin (C)-A(3) 25/75, dated the 20th August, 1976]

	To exercise special powers in respect of according technical approval of scheme relating to works of Soil Conservation.	Joint Director of Agriculture having undergone training at the Soil & Water Conservation Research and Training Institute, Dehradun.	Upto Rs. 40,000

Serial No.	Nature of powers	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
		Deputy Director/Project Officer Incharge of District who have undergone training at the Soil & Water Conservation Research Training Institute, Dehradun.	Upto Rs. 30,000 (within their jurisdiction).
		Assistant Soil Conservation Officer having undergone training at the Soil & Water Conservation Research and Training Institute, Dehradun.	Upto Rs. 20,000 (within their jurisdiction).

[H.P. Govt., F.D., Notification No. Fin (C)-A(3) 25/75, dated the 22nd August, 1977]

FOREST DEPARTMENT

Serial No.	Nature of powers	Authority to which the power is delegated	Extent of power delegated
	Execution of departmental works (construction and repairs) in accordance with the approved pattern for such works.		
	(a) Administrative approval to works.	*[Not printed. See Order (1) below Rule 19.5]*	
	(b) Technical sanction of detailed estimate of original works and special repairs.	(i) Chief Conservator of Forests.	Upto 5 per cent in excess of the amount administratively approved by the competent authority.
		(ii) Conservator of Forests.	Upto Rs. 20,000 for each work.
	(c) Sanction variations.	Chief Conservator of Forests.	Upto 5 % in excess of approved estimates.

[H.P. Govt., F.D., Notification No. 1-5/74, dated the 5th August, 1976]

SOIL CONSERVATION DEPARTMENT

Serial No.	Nature of powers	Authority to which the power is delegated	Extent of power delegated
	Execution of departmental works (construction and repairs) in accordance with the approved pattern for such works.		

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
	i) Administrative approval to works	*[Not printed. See Order (1) below Rule 19.5]*	
	ii) Technical sanction of detailed estimates of original work and special repairs.	i) Director of Soil Conservation.	Upto 5% in excess of the amount administratively approved by the competent authority.
		ii) Conservators of Forest, Soil Conservation.	Upto Rs. 20,000 for each work.
	ii) Sanction variations	i)Director of Soil Conservation	Upto 5% in excess of approved estimates.

[H.P. Govt., F.D., Notification No. 1-5/74, (Reg.), dated the 18th August, 1982]

ग्रामीण विकास विभाग

ग्रामीण विकास विभाग में विभागीय कार्याकमों, वर्कस एंव योजनाओं के कार्यान्वयन से सम्बन्धित वित्त विभाग की अधिसूचनाओं सम संख्या दिनांक 27-7-79, 10-12-82, 23-3-89. तथा सं० 24-1/71-फिन (आर एण्ड ई) दिनांक 16-5-73 के अन्तर्गत विभिन्न अधिकारियों के स्तर पर जो प्रशासनिक/वितिय स्वीकृति प्रदान करने तथा निर्माण कार्यो की योजनाओं हेतु तकनीकी अनुमोदन देने की जो शक्तियाँ प्रदत की गई थी, राज्यपाल, हिमाचल प्रदेश उन्हें निम्नरूप से तत्काल से संशोधित करने का सहर्ष आदेश देते हैं :-

अधिकारी स्तर	विभिन्न कार्यो एंव योजनाओं हेतु प्रशासनिक/वित्तीय स्वीकृति की सीमा (रुपये)
1. विकास खण्ड अधिकारी	*[Not printed. See Order (1) below Rule 19.5]*
2. जिलाधीश	
3. निदेशक	
4. सचिव	

तकनीकी शक्तियाँ

1.	कनिष्ठ अभियन्ता	40,000 (प्रति मामले में)
2.	सहायक अभियन्ता	80,000 (प्रति मामले में)

3.	अधिशासी अभियन्ता	अस्सी हजार से उपर समस्त शक्तियां	(प्रति मामले में)

यह आदेश दिनांक 1.11.92 से प्रभावी होंगें ।

[हि०प्र० सरकार, वित्त विभाग, अधिसूचना संख्या 1-13/73-फिन (रैव), दिनांक 11 नवम्बर, 1992]

19.14. Sale of lands, buildings and other immovable property (Rule 16.7).

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
1.	To sanction sale of land other than nazul by public auction.	Revenue Department.	Provided the sale is made in accordance with a scheme sanctioned by Government after consultation with the Finance Department.
2.	To sanction sale of sites required exclusively for the purpose of a temple, mosque or other religious building in State owned land.	-do-	Provided that the rate of sale for sites will be 2 kanals at half the market value or Rs. 500 per kanal whichever is less, any excess area being paid for at full market rate.
3.	To sanction sale of land by public auction under the scheme of colonisation, including development of mandis.	Administrative Department for the subject of colonisation, including development of mandis.	Provided the sale is made in accordance with a scheme sanctioned by Government after consultation with the Finance Department.
4.	To sanction sale or write off. of building in charge of P.W.D./M.P. & P.P.D..	Chief Engineer.	Provided the book value does not exceed Rs. 10,000

Serial No.	Nature of power	Authority to which the power is delegated		Extent of power delegated	
1	2	3		4	
		Superintending Engineers,	If the book value or the estimated original value where book value is not known, does not exceed—	Rs. 2,500	Provided that the sale or demolition takes place only after other departments of Government with local interests have been consulted in regard to any use they may have for the buildings proposed to be sold or demolished.
		Executive Engineers,		1,000	
		Selected Officers :- Class I,		500	
		Class II and III		500	
5.	To sanction and confirm sales of Nazul buildings, building sites and cultivated and uncultivated plots of land, including those in charge of local bodies, by auction or private treaty.	Commissioner of Divisions		Upto Rs. 500 in each case subject to the limitation prescribed by the Government in the scheme after consultation with Finance Department and further subject in the case of sale by auction, to the condition that if the price realised is less than 75 per cent of the price accepted by Government the sale must be reported to the Government	

19.15. Sale and disposal of stores, etc. in departments other than P.W.D. and M.P.P. & P. Department (Rule 15.3).

Note 1.—Preference should always be given to Government Departments purchasing stores.

Note 2.—These powers are not exercisable in respect of articles, e.g., typewriters, tents, etc., and in respect of Police Department arms, ammunition, ordinance stores and clothing equipment for the disposal of which special orders exist.

H.P. GOVT. ORDER

(1) **Sale and disposal of tents/chholdaries.**—The undersigned is directed to state that powers of various authorities for sale and disposal of stores, etc., have been prescribed in rule 19.15 of the Himachal Pradesh Financial Rules, 1971, Volume I. Though the term 'stores' also covers tents/chholdaries, yet in Note 2 below that rule, it has been provided that the powers defined therein are not exercisable in respect of tents. No separate orders regarding disposal of

tents have been issued. The question of laying down procedure for the disposal of tents, etc., was receiving attention of the Government for sometime past. Accordingly, the Governor, Himachal Pradesh is pleased to order that the disposal of tents/chholarics and their components shall also be regulated under rule 19.15 *ibid.*

[H.P. Govt., F.D., O.M. No. Fin (C)-A (2)-24/76, dated the 31st July, 1980]

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
[1]1.	To declare articles of stores or stock surplus or unserviceable.	Administrative Department other than Public Works/M.P.P. & P. Departments.	Upto Rs. 2,50,000
		Heads of Departments.	Rs. 50,000
		Heads of Offices	Rs. 2,500
2.	To sanction sale of articles of stores or stock declared surplus or unserviceable by competent authority:–	Administrative Departments other than P.W.D./M.P.P. & P. Departments.	Full powers.
		Heads of Departments.	Full powers.
	(i) at book value or market value whichever is greater.	Deputy Commissioners, District and Sessions Judges, Registrar, High Court, D.I.G. of Police, D.M.O./C.M.O., Medical Superintendent, State Hospital, Principal, Medical College.	Rs. 1,000.
	(ii) by private treaty at less than book value.	Administrative Departments other than P.W.D. and M.P.P. & P. Departments.	Full powers.
	(iii) by Public Auction.	Administrative Departments other than P.W.D. and M.P.P. & P. Departments.	Full powers.
		Heads of Departments.	Rs. 5,000

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[1] Columns 2 & 4 against Sl. No. 1 substituted *vide* H.P. Govt., F.D., Notification No. Fin C-A(3)-25/75, dated the 28th June, 1995.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
		Deputy Commissioners, District and Sessions Judges, Registrar, High Court, Deputy Inspector General of Police, D.M.O./C.M.O.,Medical Superintendent, State Hospital, Principal Medical College.	Rs. 250
		Heads of Offices.	Rs. 100.
		Deputy Commissioners. Lahaul and Spiti/Kinnaur.	Rs. 5,000.
3.	To sanction disposal by sale or otherwise of articles of stores or stock declared unserviceable by competent authority.	Administrative Department, other than P.W.D. and M.P.P. & P. Departments.	Upto Rs. [1](50,000).
		Heads of Departments.	Rs. 750.
		Deputy Commissioner, Deputy Inspector-General of Police C.M.O./D.M.O.s, Medical Superintendent, State Hospital, Principal, Medical College.	Rs. 100. Subject to any orders passed by authority declaring the stores unserviceable
		Registrar, High Court, and District and Sessions Judges.	Rs. 300.
		Heads of Offices.	Rs. 150.
		Deputy Commissioner, Lahual and Spiti/Kinnaur.	Full powers.
4.	(a) To declare the stores, tools and plant, livestock, timber and other produce as unserviceable or surplus to requirements.	Chief Conservator of Forests/Director of Soil Conservation.	Rs. 25,000.
		Conservators of Forests/ Conservator of Forests, Soil Conservation.	Rs. 5,000.

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[1] Entry in regard to Administrative Department in Col. No. 4 against Sl. No. 3 substituted by H.P. Govt., F.D., Notification No. Fin. (C)-A(2)-8/77. dated the 19th August, 1978.

2. Sl. No. 4 amended by H.P. Govt., F.D., Notification No. Fin. (C)-A (3)-11/77, dated the 14th June, 1979, O.M. No. 1-5/74-Fin.(Reg.). dated the 24th April, 1981 and O.M. No. 1-5/74-Fin.(Reg.), dated the 18th January, 1982.

Serial, No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
		Divisional Officers of Forests in the rank of DCFs./Divisional Forest Officers in the rank of D.C.F., S.C.	Rs. 2,000.
		Other Divisional Forest Officers/Divisional Forest Officers (Soil Conservation)/Assistant Soil Conservation Officers.	Rs. 500.
		Deputy Commissioner, Lahaul and Spiti/Kinnaur.	Rs. 5,000.
	(b) To exchange animals with other zoos by negotiations.	Chief Conservator of Forests/Director of Soil Conservation.	Provided the cost of animals does not exceed Rs. 50,000 in each case.
5.	To sanction sales of stores tools and plant, etc., declared by competent authority as surplus to requirements at book value or market value whichever is greater.	Chief Conservator of Forest/Director of Soil Conservation.	Full powers.
		Conservators of Forest/Conservators of Forests. Soil Conservation	Rs. 5,000 Subject to any orders passed by the authority declaring the stores surplus or unserviceable.
		Divisional Forest Officers/ Divisional Forest Officers, Soil Conservation/ Assistant Soil Conservation Officers.	Rs. 1,000
6.	To sanction sale by public auction of stores, tools and plant, etc. declared surplus or unserviceable by competent authority.	Chief Conservator of Forests/Director of Soil Conservation	Rs. 50,000 Subject to any orders passed by the authority declaring the stores surplus or unserviceable.

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1. Column Nos. 3 and 4 against Sl. No. 6 substituted *vide* H.P. Govt., F.D., O.M. No. Fin.(C) A (3)-11/77, dated the 14th June, 1979.

2. Under Sl. Nos. 5 & 6 powers delegated to various authorities of Soil Conservation Deptt. vide H.P. Govt., F.D., Notification No. 1-5/74-Fin (Reg.), dated the 18th January, 1982.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated	
1	2	3	4	
		Conservator of Forests/Conservators of Forests, Soil Conservation	Rs. 25,000	Subject to any orders passed by the authority declaring the stores surplus or unserviceable
		D.F.Os in the rank of DCFs./D.F.Os. in rank of D.C.F., S.C.	Rs. 7,500	
		Other D.F.Os./D.F.Os. (Soil Conservation)/Asstt Soil Conservation Officers	Rs. 5,000	
7.	To auction by sale or otherwise disposal of stores declared unserviceable.	Chief Conservator of Forests/Director of Soil Conservation.	Rs. 2,000	Subject to any orders passed by the authority declaring the stores surplus or inserviceable
		Conservator of Forests/Conservators of Forests, Soil Conservation	Rs. 1,000	
		Divisional Forests Officers in the rank of D.C.F./D.F.Os. in the rank of D.C.F., S.C.	Rs. 750	
		Other DFOs./D.F.Os., Soil Conservation/Asstt. Soil Conservation Officers	Rs. 500	
8.	To authorise Forest Officers of and above the rank of Ranger to effect sales of timber or other forest produce, livestock, stores,	Conservators of Forests	In exceptional cases only and under such conditions regarding time of payment as the Conservator may lay down and subject to a limit	

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1. Column Nos. 3 and 4 against Sl. No. 7 substituted *vide* H.P. Govt., F.D., O.M. No. Fin (C)-A(3)-11/77, dated the 14th June, 1979.

2. Under Sl. Nos. 7 & 8 powers delegated to various authorities of Soil Conservation Deptt. *vide* H.P. Govt., F.D., Notification No. 1-5/74-Fin (Reg.), dated the 18th January, 1982.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
	tools and plant without payment in full of the amounts at the time of delivery.		of Rs. 10,000 for any one such transaction, provided also that every such transaction if the value exceeds Rs. 5,000 is reported to Government.
	To authorise Soil Conservation Officers of the rank of Rangers/ Agriculture Inspector to effect sales of timber or other forest produce, livestock, stores, tools and plant without payment in full of the amount at the time of delivery.	Conservator of Forests, Soil Conservation	- do -
9.	To declare animals unserviceable condemned and to sanction disposal at the prevailing market value by public auction.	Inspector General of Prisons.	If the book value or estimated value when book value is unknown, does not exceed Rs. 1,000 in each individual case, and further it is certified that the sale has been made at the prevailing market rates.
10.	To declare animals surplus and to sanction their disposal at prevailing market value by public auction.	Inspector General of Prisons.	If the book value or estimated value when book value is unknown does not exceed Rs. 1,000 in each individual case, and further it is certified that the sale has been made at the prevailing market rates.

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1. Under Sl. No. 8 powers delegated to Conservators of Forests, Soil Conservation *vide* H.P. Govt., F.D., Notification No. 1-5/74-Fin (Reg.), dated the 18th January, 1982.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
11.	To sanction the sale of grass and fruit, etc., growing in the compounds of Government Educational Offices and Institutions.	Heads of Education Offices and Institutions including Principal, Gram Sewaks Training Centre.	Full powers with regard to the grass and fruit etc. growing in the compounds of their respective offices and institutions provided: (i) the sale is effected by public auction wherever possible or by any other method that may be considered best in the interest of efficiency and economy; (ii) before the sale is effected tehsil rates and the rates prevalent in the locality are considered; and (iii) in the case of perishable commodities, e.g., vegetables, fruit, etc., the officer effecting the sale, records the reasons for approving the rate which is below the prevailing tehsil rates or the local market rates of the day.
12.	To declare animals,[1] agricultural produce, nursery plants, trees, cow dung, etc., as surplus to requirements.	Directors of Agriculture and Horticulture.	Rs. 5,000
		Deputy Directors of Agriculture and Horticulture.	Rs. 1,000
12-A.[2]	to declare fruits as surplus to requirements.	Administrative Department	Full powers.
		Director of Horticulture.	Upto Rs. 20,000
		Joint Director	Upto Rs. 10,000
		Deputy Directors in-charge of the Zones..	Upto Rs. 1,000
13.	(a)To sanction sale of animals, agricultural produce, nursery plants, fruits, trees, eggs, cow dung, etc.,	Directors of Agri-culture & Horti-culture.	Full Powers

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1. In Column 2 against Serial No. 12 the word 'fruits' deleted by H.P. Govt., F.D., O.M. No. Fin. (C)-A(3)-11/77, dated the 14th June, 1979
2. Sl. No. 12-A added *vide* H.P.Govt., F.D., O.M. No. Fin(C)-A(3)11/77, dated the 14 th June, 1979.

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Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated	
1	2	3	4	
	declared surplus to requirements at book value or market value whichever is greater.	Deputy Directors of Agriculture & Horti-culture	Rs. 5,000	
		Heads of Offices.	Rs. 250	
	(b) To sanction sale by public auction of animals, agriculture produce, nursery plants, fruits, trees, eggs, cow dung, etc., declared surplus or unserviceable by competent authority.	Administrative Departments	Full powers.	
		Directors of Agriculture & Horticulture.	Rs. 5,000	Subject to the condition that rates for fruits, nursery plants and eggs are approved by the Directors of Agri-culture & Horti-culture.
		Deputy Directors of Agriculture & Horticulture.	Rs.2,500	
		Heads of Offices.	Rs. 100	
	(c) To sanction disposal of animals, agricultural produce, nursery plants, fruits, trees, eggs, cow dung, etc., declared unserviceable by sale or otherwise.	Directors of Agriculture & Horticulture.	Rs. 250	
		Deputy Directors of Agriculture & Horticulture.	Rs. 100	
		Heads of Offices.	Rs. 50	
	(d) To sanction sale by public auction of fruits declared surplus to requirements by competent authority.	Administrative Department.	Full powers.	
		Director of Horticulture.	Upto Rs. 20,000	The exercise of these powers shall be subject to the condition that the rates for the fruits are approved by the Director of Horticulture.
		Joint Director.	Upto Rs. 5,000	
		Deputy Directors in-charge of the Zones.	Upto Rs. 2,500	
		Disbursing Officers.	Upto Rs. 100	

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1. Entries "Admn. Deptts." in Column No. 3 and "Full powers" in Column No. 4 against Sl. No. 13 (b) inserted *vide* H.P. Govt., F.D., Notification No. Fin. (C)-A (2)-8/77, dated 19th August, 1978.

2. Serial No. 13 (d) added *vide* H.P. Govt., F.D., O.M. No. Fin. (C)-A(3)-11/77 dated, the 14th June, 1979.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
14.	To declare grain, fodder, manure stores, animals, poultry birds and eggs as surplus, unserviceable or not up to the standard	(1) Director of Animal Husbandry.	Rs. 5,000
		(2) Deputy Director of Animal Husbandry	Rs. 1,000. In each individual order.
15.	To sanction disposal of animals, grain, fodder, manure, poultry birds, eggs and similar other stores declared as surplus to requirements at book value or market value whichever is greater.	(1) Director of Animal Husbandry.	Full powers subject to proviso under (2) below.
		(2) Deputy Director of Animal Husbandry.	Upto a book value of Rs. 5,000 in each individual case; provided that a departmental charge of Rs. 5 per cent is added to book value in the case of sales to Government servants employed on the Farm.
16.	To sanction sale by public auction of animals, grain, fodder, manure, poultry birds, eggs, etc. declared surplus or unserviceable.	(1)Director of Animal Husbandry.	Full powers
		(2)Deputy Director of Animal Husbandry.	Upto a book value of Rs. 1,000 in each individual case.
17.	To sanction disposal of animals, grain, fodder, manure, poultry birds, eggs, etc., declared surplus or unserviceable.	(1) Director of Animal Husbandry.	[1](Rs. 500)
		(2) Deputy Director of Animal Husbandry.	[1](Rs. 200)
18.	To sanction disposal of grain, fodder, manure and similar other stores declared surplus to requirements, at book value or market value which ever is greater.	Director of Animal Husbandry.	Upto a book value of Rs. 5,000 in each individual case provided that a departmental charge of 5 per cent is added to the book value in the case of sales to Government servants employed on the farm. Full powers, subject to the above proviso.

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[1] Column 4 against Sl. No. 17 substituted *vide* H.P. Govt., F.D., Notification No. Fin (C)-A(2)-8/77 dated, the 19th August, 1978.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
19.	To sanction sale by public auction of grain, fodder, manure, etc., declared surplus or unserviceable.	Director of Animal Husbandry,	Full powers upto a book value of Rs. 1,000 in each individual case
20.	To sanction disposal of grain, fodder, manure, etc., declared unserviceable by sale or otherwise.	Director of Animal Husbandry.	[1](Rs. 500) in each individual case.
21.	To sell animals upto standard but surplus to requirements. i.e. over and above the sanctioned strength, at a rate not lower than that fixed by the Valuation Committee.	Director of Animal Husbandry.	Upto a valuation of Rs. [2][8000] in each transaction.
22.	To sell animals not upto farm standard at a rate lower than the book value.	Director of Animal Husbandry.	Upto a book value of Rs. [2][4000] each transaction.
23.	To sell unserviceable animal or animals not upto the farm standard by public auction.	Deputy Director of Animal Husbandry.	Full power subject to the restrictions imposed by auction rules framed by the Head of Department.
24.	To declare articles of stores unserviceable or surplus and to sanction disposal (by sale or public auction) of articles, stores or papers so declared.	Controller of Printing and Stationery.	Subject to the conditions that the book value or the estimated original value when book value is not known, does not exceed Rs. 1,000 in any one case.

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1. Column 4 against Serial No. 20 substituted *vide* H.P. Govt., F.D., Notification No. Fin (C)-A(2)-8/77, dated the 19th August, 1978.

2. Col No. 4 against Sl. Nos. 21 and 22 substituted *vide* H.P. Govt., F.D., Notification No. Fin (C)-A(2)-8/77, dated the 19th August, 1978.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated	
1	2	3	4	
25.	To sanction disposal of waste paper of Government Press.	Controller, Printing and Stationery.	Full powers subject to the condition that the waste paper is disposed at the highest tendered rates.	
26.	To sanction disposal of waste paper by inviting tenders or by open auction as may be advantageous.	(i) Heads of Departments.	Full powers.	
		(ii) Heads of Offices.	Rs. 500.	
27.	To issue orders declaring stores, surplus or unserviceable, the original purchase value of the articles being estimated if not known.	Chief Engineer, P.W.D. and M.P.P. & P. Departments	Rs. 50,000	These powers will not be exercised in regard to stores which have already been written down.
		Superintending Engineers.	Rs.10,000	
		Executive Engineers.	Rs.2,500	
		Assistant Engineers.	Rs. 1,500	
28.	To issue orders for disposal of stores declared surplus or unserviceable by competent authority, and to sanction the resultant loss wherever necessary.	1.Chief Engineers.	Full powers.	Subject to any orders passed by the authority declaring the stores surplus or unserviceable
		2.Superintending Engineers,	Upto Rs.25,000	
		3.Executive Engineers.	Rs. 5,000	
29.	To sanction sale of articles on the stock accounts for full value plus usual charge of 10 percent.	Superintending Engineers.	Full powers.	The addition of 10 per cent may, however, by waived by the authority empowered to sanction the sale in the case of stock which has been declared surplus by competent authority and which in his opinion would otherwise be unsaleable
		Executive Engineers.	Rs. 1,000	
		Assistant Engineers.	Rs. 500.	

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
30.	To sanction the sale of grass, trees or other produce in plantations including roadside avenue gardens.	Superintending Engineers.	Full powers.
		Executive Engineers.	Upto Rs. 500.

19.16. Write off of losses, Stores, etc. (Rule 15.3 and 15.4)

(1) Constitution of committee to look into and make recommendations regarding write off of losses exceeding Rs. 25,000 due to mis-appropriatation/defalcation.—The Governor, H.P. is pleased to constitute the following committee to look into the cases of mis-appropriation and defalcation involving losses exceeding Rs. Twenty-five thousand:–

1.	Financial Commissioner-cum-Secretary (Finance)	Chairman
2.	Accountant - General, H.P.	Member
3.	Secretary (Law)	Member
4.	Secretary of the Department concerned	Member
5.	Under Secretary (Finance)	Member

It shall be the responsibility of the Head of Department to bring all such cases to the notice of Finance Department (in Finance General Section) to enable this Department to place the cases before the committee for their recommendation as only such losses exceeding Rs. 25,000 shall be allowed to be written off as are recommended for writing off by the said committee.

[H.P. Govt., F.D., Notification No. Fin (D) (D) 5 (a) 21-1/83, dated the 1st July, 1987]

(2) Losses due to one incident or one specific cause like fire, theft, flood etc. not to be split up but to be written off at one time only.—The term "each case" used in this Schedule in regard to write off of irrecoverable losses of stores, deficiencies and depreciation in the value of stores included in stock and other accounts, should be interpreted with reference to a given point of time. If on a particular occasion, a number of items are to be written off the powers of the sanctioning authority should be reckoned with reference to the total value of stores intended to be written off on that occasion and not with reference to individual articles constituting the lot. In this context, losses arising out of one incident should not be split up and written off separately on different dates in order to avoid sanction of the higher authority. Losses due to one specific cause like fire, theft, flood, etc., should be written off at one time only. There is however, no objection to losses arising out of more than one cause being written off at one time. The competence of the officers writing off the loss will depend on the amount written off each time.

[G.I., M.F., O.M. No. F. 11 (39)-E. II (A)/60, dated the 22nd June, 1960 and the 18th October, 1960]

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
1.	To sanction the writing off finally of the irrecoverable value of stores or public money lost by fraud or the negligence of individuals or similar other causes.	Administrative Departments.	Provided that the (i) amount of the write off in any individual case does not exceed the limits given below and (ii) the loss does not disclose: (a) a defect of system, the amendment of which would require a reference to the Finance Department; or (b) serious negligence on the part of some individual Government servant or servants which might possibly call for disciplinary action requiring a reference to Finance Department– (1) Public Works and M.P.P. & P.—Rs. 5,000. (2) Forests– Rs.2,000 in the case of public money and Rs. 5,000 in the case of stores. (3) Other Departments – Rs. 2,000
		Hon'ble Judges of the High Court.	Upto Rs.750 In each individual case, provided that the loss does not disclose (i) a defect of system, the amendment of which requires the
		Heads of Department except the Hon'ble Judges of the High Court and Chief Engineers, P.W.D./M.P.P.& P.	Upto Rs. 250

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated	
1	2	3	4	
		Chief Engineers, P.W.D./M.P.P. & P.	Upto Rs. 5,000	orders of competent authority, or (ii) serious negligence on the part of some individual Government servant or servants which might possibly call for disciplinary action requiring the order of higher authority.
		Superintending Engineers, P.W.D./M.P.P. & P.	Upto Rs. 250	
		Heads of Offices/ Drawing and Disbursing Officers.	Upto Rs. 50	In each individual case provided--that the loss does a not disclose (i) a defect of system, the amendment of which requires the orders of the higher authority or (ii) serious negligence on the part of some individual Government servant or servants which might possibly call for disciplinary action requiring the of order higher authority.
		Divisional Forest Officers.	Upto a limit of Rs. 250	

H.P. GOVT. ORDER

Revision/enhancement of powers delegated to officers of P.W.D. – See Order (6) below Rule 19.5.

Serial No. 1	Nature of power 2	Authority to which the power is delegated 3	Extent of power delegated 4
2.	To write off losses of stock due to depreciation of serviceable stock (i.e. book losses only as opposed to actual losses).	Heads of Department (except P.W.D./M.P.P. & P. Deptt.)	Rs. 1,000
		Chief Engineers, P.W.D./M.P.P. & P.	Rs. 25,000.
		Superintending Engineers, P.W.D./M.P.P. & P.	Rs. 20,000
		Executive Engineers.	Selected officers Rs. 5,000; Non-selected officers Rs. 2,500 Provided the loss of over Rs. 1,000 is reported to the Superintending Engineers.
		Deputy Commissioners, District and Sessions Judges, Registrar, High Court, D.I.G. of Police, Distt. Medical Officers/Chief Medical Officers, Medical Superintendent of State Hospital, Principal, Medical College.	Rs. 250
		Heads of Offices.	Rs. 50.

The above delegations are subject to the main condition that the depreciation is not the result of the negligence of any individual.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
3.	To sanction write off from return of tools and plant where only part value has been recovered.	Executive Engineers.	Selected officers—Rs. 1,000 Non-selected officers—Only if full value has been recovered.

H.P. GOVT. ORDER

Revision/enhancement of powers delegated to officers of P.W.D. – See Order (6) below Rule 19.5.

4.	To write off actual losses of stock.	Executive Engineers.	Upto the limits of– Selected officers—Rs. 200. Non-selected officers – Rs. 75.

H.P. GOVT. ORDER

(1) Revision/enhancement of powers delegated to officers of P.W.D. - See Order (6) below rule 19.5.

5.	To delegate powers to selected officers or class of officers regarding writing off finally the irrecoverable value of stores lost by fraud or the negligence of individuals or other causes.	Forest Department/ Soil Conservation Department.	Provided (i) that the amount of the write off in any individual case does not exceed Rs. 250, (ii) as in clause (ii) of entry I above.
6.	(a) To write off at any one time the loss of or damage to an article of livery, summer clothing, belts and warm clothing not due for renewal..	Administrative Departments.	Upto the prescribed cost of one livery of and class including summer clothing, belts, cross belts, badges and warm clothing, where the loss or damage is not caused by negligence or misuse or where no recovery is possible.

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1. Power to Soil Conservation Deptt. under Sl. No. 5 delegated by H.P. Govt. F.D., Notification No. 1-5/74-Fin (Reg.), dated the 18th January, 1982.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
	(b) To renew livery, etc. at Government expense before the prescribed period.		
7.	To sanction write off of books lost or rendered unserviceable in their own and in subordinate offices, if any.	Financial commissioners.	Full powers.
		Commissioners of Divisions.	
		Heads of Departments	
		Deputy Commissioners	Upto a limit of Rs. 200 in each individual case.
		The Hon'ble Judges of the High Court.	Full powers.
		Director of Education, Himachal Pradesh.	
		Director of Agriculture, Horticulture	
		Director of Animal Husbandry.	
		Principals of Government Arts and Training Colleges.	Upto a limit of Rs. 100 in each individual case.
		Principal, Medical College.	Full powers.
		Chief Secretary to Government of Himachal Pradesh.	Full powers.
		Superintending Engineers, P.W.D/M.P.P. & P.	Without restriction
		Executive Engineers, P.W.D./M.P.P. & P.	Upto a limit of Rs. 10 in each individual case.

H.P. GOVT. ORDER

(1) **Revision/enhancement of powers delegated to officers of P.W.D.** - See Order (6) below Rule 19.5.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
8.	To write off maps (except restricted) lost or rendered unserviceable in their own or subordinate offices.	(i) Chief Conservator of Forests.	Upto a limit of Rs. 2,000 in each individual case.
		ii) Conservator of Forests.	Upto a limit of Rs. 1,000 in each individual case.
		(iii) Divisional Forest Officers.	Upto a limit of Rs. 500 in each individual case.
		(iv) Director of Soil Conservation.	Upto a limit of Rs. 200 in each individual case.
		(v) Conservator of Forests, Soil-Conservation.	Upto a limit of Rs. 100 in each individual case.
		(vi) Divisional Forest Officers, Soil Conservation/Assistant Soil Conservation Officers.	Upto Rs. 50 in each individual case.
9.	To sanction the writing off from the catalogue of the Library of the Himachal Prdesh State Legislative of books which are lost or become out of date or unserviceable.	The Speaker of the Himachal Pradesh Legislative Assembly.	Full powers.
10.	To sanction the writing off of the value of stamps.	Commissioners of Divisions	Upto Rs. 150

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1. Col. No. 4 against SI No. 8 substituted by H.P. Govt., F.D., O.M. No. Fig. (C)-A (3)-11/77, dated the 14th June, 1979.

2. Powers at various levels in Soil Conservation Deptt. delegated under SI. No. 8 by H.P. Govt., F.D., Notification No. 1-5/74-Fin (Reg.), dated the 18th January, 1982.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
11.	To write off irrecoverable loss of stamp revenue.	Commissioners of Divisions.	Upto Rs. 150
		Deputy Commission-ers.	Upto Rs. 25
		Deputy Commissioners, Lahaul and Spiti/Kinnaur.	Upto Rs. 50 in each case.
12.	To write off finally the irrecoverable value of Medical articles and supplies rendered unserviceable.	(i) Director of Health Services and Deputy Commissioners, Lahaul and Spiti.	Upto Rs. 250 in each case.
		(ii) DMOs./CMOs./ Medical Superintendents, State Hospital and Principal of Medical College.	Upto Rs. 100 in each case.
13.	To write off accounts of their own offices or the accounts of Divisional Forest Officers, the value of stores, tools and plant, livestock, timber and other stock.	(1) Chief Conservator of Forces.	Upto the value of Rs. 10,000.
		(2) Conservators of Forests.	Upto the value of Rs. 2,500.
		(3) Divisional Forest Officers in the rank of Deputy Conservators.	Upto the value of Rs. 500.
		(4) Other Divisional Forest Officers.	Upto the value of Rs. 300.
	To write off accounts of their own offices or the accounts of Divisional Forest Officers, Soil Conservation/Assistant Soil Conservation Officers, the value of stores, tools and plants, live-stock, timber and other stock.	(i) Director of Soil Conservation	Upto the value of Rs. 10,000.
		(ii) Conservators of Forests, Soil Conservation.	Upto the value of Rs. 2,500.
		(iii) Divisional Forest Officers (in the rank of D.C.F., S.C.)	Upto the value of Rs.500.

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1. Col Nos. 3 and 4 against Sl. No. 13 substituted *vide* H.P. Govt., F.D., O.M., No. Fin (C)-A(3)-11/77, dated the 14th June, 1979.

2. Under Sl. No. 13 powers delegated to various authorities of Soil Conservation Deptt. *vide* H.P. Govt., F.D., Notification No. 1-5/74 Fin (Reg.), dated the 18th January, 1982.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
		(iv) Divisional Forest Officers, Soil Conservation/ Asstt. Soil Conservation Officers.	Upto the value of Rs. 300.
14.	To write off finally the irrecoverable value of stores such as books, furniture, tents and other similar articles relating to settlements rendered unserviceable.	Settlement Officer, Himachal Pradesh.	Upto a limit of Rs. 100 in each individual case
15.	To write off the accounts, the value of animals died or destroyed.	Director of Animal Husbandry.	Full powers.
16.	To write off the value of the lost livestock (animals) relating to the Animal Husbandry Department provided that the loss does not disclose. (a) a defect in system, the amendment of which would require a reference to Finance Department. (b) serious negligence on the part of some individual Government servant which might possibly call for disciplinary action requiring a reference to the Finance Department.	Director of Animal Husbandry	Rs. 200 per animal
17.	To write off the accounts, the value of animals of Police Department, in the case of their death.	Home Secretary.	Full powers; provided (i) the Assistant Veterinary Surgeon certifies that the death was natural, (ii) Departmental Survey Committee reports that none was responsible.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
18.	To write off the accounts, the value of animals of Jails Department, in case of their death.	Secretary (Prisons).	Full powers; provided (i) the Veterinary Assistant Surgeon certifies that the death was natural and (ii) the Departmental Survey Committee reports that none was responsible.
19.	To declare the untraced cases of illegal fishing as untraceable and sanction their write off.	Director of Fisheries, Himachal Pradesh.	Upto Rs. [1][50] in case of each offence.
20.	To write off the accounts, the value of dead and infected fish.	Director of Fisheries	Full powers
21.	To write off the accounts, the value of animals of Agriculture Department in case of their death.	Secretary (Agriculture)	Full powers; provided (i) the Veterinary Officer certifies that the death was natural and (ii) Departmental Survey Committee reports that none was responsible

19.17. Remission or refunds of revenue and abandonment of claims of revenue (Rule 4.5, 9.1).

1.	To sanction refunds, suspensions and remissions of land revenue.	Revenue Department.	Subject to the conditions that the refunds, suspension and remissions are granted under the rules formulated by the Financial Commissioner.

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1. Col. No. 4 against Sl. No. 19 of Rule 19.16 substituted *vide* H.P., Govt. F.D., Notification No. Fin. (C)-A(2)-8/77, dated the 19th August. 1978.

2. Sl. No. 21 inserted *vide* H.P. Govt., F.D., Notification No. Fin (C)-A(2)-7/96, dated the 26th December 1996.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
2.	To sanction immediate remission of land revenue due to— (a) Any calamity to the harvest. (b) Locusts and hail in any harvest	Financial Commissioner.	Full powers.
		Commissioners of Divisions.	Upto a limit of Rs. 5,000 per district.
		Collectors of Districts.	Upto a limit of Rs. 500 for the whole district
3.	To remit arrears of land revenue.	Financial Commissioner.	Full powers.
		Commissioners of Divisions.	Upto a limit of Rs.10,000 under 3 years rule for one harvest per district, if satisfied that since the revenue was suspended, due diligence has been shown in collection.
4.	To sanction remission of rent on temporary cultivation.	Financial commissioner.	Full powers.
5.	To remit arrears of rent in a Government estate.	Financial Commissioner.	Full powers.
		Commissioners of Divisions.	Upto a limit of Rs. 25 per holding or Rs. 250 per estate in any harvest.
6.	To sanction remissions of land revenue due to special causes unconnected with calamities affecting crops for which special rules have not been sanctioned.	Financial Commissioner.	Full powers.
		Commissioners of Divisions	(i) Upto a limit of Rs. 250 in each case except in cases of awards for gallantry such as fighting dacoits, etc., in the shape of remission of land revenue. (ii) Upto a limit in Rs. 500 in each case in cases of awards for gallantry such as fighting dacoits, etc., in the shape of remission of land revenue.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
7.	To sanction refunds of land revenue.	(i) Deputy Commissioners.	Without limit for sums credited to Government when the refund is on account of erroneous collections, or is rendered necessary by an order which the Deputy Commissioner was competent to pass or in consequence of an assignment of land revenue having been granted with retrospective effect.
		(ii) Commissioners of Divisions.	Without limit in cases of other than those mentioned at (i) above.
8.	To sanction refunds of rent on temporary cultivation.	Financial Commissioner.	Full powers.
9.	To remit balances of irrecoverable, fluctuating and other land revenue	Commissioners of Divisions.	Full powers.
10.	To write off the talbana due in all cases where the main demand has been written off by the Financial Commissioner or the Commissioner.	Deputy Commissioner.	Full powers.
11.	To sanction refunds or remissions of excise revenue or concessions to excise licence-holders.	Excise Department.	Subject to the condition that the refunds or remissions or concessions are made in accordance with the rules of the Himachal Pradesh Excise Manual.
12.	To sanction suspensions of excise revenue.	Excise and Taxation Commissioner.	Full powers.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
13.	To remit or write off irrecoverable balances of excise revenue.	Excise and Taxation Commissioner.	Without limit
14.	To sanction refund of excise revenue wrongly collected.	Excise and Taxation Commissioner.	Without limit.
		Deputy Excise and Taxation Commissioner.	Upto Rs. 1,500 in each case.
15.	To sanction refund of exercise duty on liquor exported to other States.	Excise and Taxation Commissioner.	Full powers subject to the provisions of Himachal Pradesh Excise Manual.
16.	To grant concessions to holders of excise licences who through no fault of their own have failed to obtain from their licensed business the profits they had reason to expect:–		
	(a) When a licence is cancelled for a cause other than a breach of the conditions of the licence, if a due notice is given.	Excise and Taxation Commissioner.	Full powers subject to the provisions of the Himachal Pradesh Excise Manual.
	(b) When a licence is cancelled for a cause other than a breach of the conditions of the licence where no notice is given.	Excise and Taxation Commissioner	-do-
	(c) When a farm of fees leviable for retail sale of liquor or drugs has lapsed by reason of the death of the farmers and any fees have been paid for the remainder of the period of the farm.	Excise and Taxation Commissioner	-do-

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
	(d) Where a farm lapses from any cause other than a breach of the conditions of the farm or when within the terms of a farm any reservation or restriction is made with regard to the grant of sub-licences.	Excise and Taxation Commissioner	Full powers subject to the provisions of the Himachal Pradesh Excise Manual. Without limit
	(e) When there is an equitable claim for compensation owing to unavoidable circumstances, which could not have been foreseen when the licence was granted such as an outbreak of plague, the occurrence of unusual scarcity, the sudden departure of troops from a cantonment, the placing out of bounds of a cantt. shop or the closure of a fair.	Excise and Taxation Commissioner	Without limit
	(f) When a shop is closed by order of the Collector under the Himachal Pradesh Excise Act, for more than six hours.	Collector	Full powers subject to the provisions of the Himachal Pradesh Excise Manual.
	(g) When a licensee dies and has paid any fee for the subsequent period of the licence.	Excise and Taxation Commissioner	Full powers subject to the provisions of the Himachal Pradesh Excise Manual.
17.	To grant compensation in the case of withdrawal of a licence, permit or pass forthwith without any notice, for any cause other than those specified in Excise Act.	Financial Commissioners.	Full powers in exercise of the powers conferred under the Himachal Pradesh Excise Act.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
18.	To remit acreage duty on poppy cultivation in Himachal Pradesh where the crop has failed.	Deputy Commissioners.	Full powers.
19.	To sanction refund of duty on beer, which has been destroyed or become unfit for consumption.	Excise and Taxation Commissioner.	Full powers subject to the provisions of the Himachal Pradesh Excise Manual
20.	To remit or refund the excise duty on locally manufactured recitified spirit used for industrial and scientific purposes as follows:– (1) for Analytical work; (2) for pharmaceutical manufacture of tannic acid; (3) for the manufacture of medical solid extracts; (4) for the manufacture of fulminates by the Army Ordinance Department; (5) for an industrial or scientific process, provided that the rectified spirit does not form an ingredient in the product of any industry concerned when than product is issued from the works; (6) for the manufacture of acetone required for ammunitions of war.	Excise and Taxation Commissioner.	Full powers subject to the conditions laid down in Himachal Pradesh Excise Manual.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
21.	To refund the excise duty on rectified spirit supplied by the Medical Store Depot to (a) Government and charitable hospitals and dispensaries, (b) Medical and Educational institutions.	Excise and Taxation Commissioner.	Full powers subject to the conditions laid down in the Himachlal Pradesh Excise Manual.
22.	To refund the excise duty on rectified spirit contained in medical preparations supplied by the Medical Store Depot to the— (1) Charitable Hospitals and Dispensaries. (2) Government Hospitals and Dispensaries. (3) Medical College, Shimla.	-do-	Full powers mentioned in the Himachal Pradesh Excise Manual.
23.	To sanction allowances of the value of non-judicial stamps— (i) when a stamp has been inadvertently spoiled or misused; (ii) when any document on a stamped paper which is written out wholly or in part, is not signed or executed by any party thereto;	Collectors of districts.	Subject to the conditions in sections 49, 50, 52 and 53 of the Indian Stamps Act, 1899. The authority in column 3 may in special cases, allow refund or renewal of a spoilt or useless non-judicial stamp; provided application is made within two years of the date of purchase or the date on which the stamp was spoiled or rendered useless.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
	(iii) when a bill of exchange payable otherwise than on demand of promissory note has been executed on an impressed stamped paper and signed by or on behalf of drawer but has not been accepted or made use of in any of the manners described in clause (c) of section 49 of the Stamp Act;	General Assistants to the Deputy Commissioners.	Upto Rs. 50 subject to the overall supervision and control of Deputy Commissioners.
	(iv) when a stamp on any instrument partially or fully executed has become spoiled for any of the reasons given in clause (d) of section 49 of the Stamp Act.		
	(v) when stamped papers used for printed forms of instructions are no longer required by banks or corporation;	Collectors of districts.	Subject to the conditions in section 51 of the Stamp Act (No deduction is required).
	(vi) when a stamp has not been spoiled, or rendered unfit or useless for the purpose intended, but for which the purchaser has no immediate use;	-do-	Subject to the conditions in section 54 of the Stamp Act. The authority in column 3 may, in special cases, allow refund or renewal of a spoilt or useless non-judicial stamp; provided application is made within two years of the date of purchase or the date on which the stamp was spoiled or rendered useless.
	(vii) when any duty stamped debenture is renewed by the issue of a new debenture in the same term;	Collectors of districts.	Subject to the conditions in section 55 of the Stamp Act (No deducation is required).

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
	(viii) when stamps not spoiled or rendered unfit are returned to the Collector's store on--	Collectors of districts.	(a--d) Stamps should be taken back at their full value less a deduction of six paise in the rupee.
	(a) resignation of the vendor's licence;		
	(b) revocation of licence for any fault of licensee;		
	(c) death of the vendor;		
	(d) application of the vendor for leave to restore any stamp;		
	(e) expiration of licence;		(e—g) Stamps should be taken back at their full value less only any discount allowed on their sale by the licence vendor.
	(f) recall of stamps by Government;		
	(g) revocation of licence for any other cause than that mentioned in (b).		
24.	To grant, under section 39 of the Indian Stamp Act, 1899 refund of :-		
	(a) penalty paid under section 38 (1) of the said Act	General Assistants to the Deputy Commissioners.	Subject to the overall supervision and control of Deputy Commissioner.
	(b) penalty paid in respect of an instrument which had been impounded only because it has been written in contravention of section 13 or section 14 of the Act.	Collector of District	Full powers [section 39(2) of the Stamp Act].

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
25.	To grant, under section 45 of the Stamp Act, refund of :–	Financial Commissioner	Full powers.
	(i) penalty paid under section 35 or 40 of the said Act	Commissioners of Divisions	Upto Rs. 1,000 in each case; provided that an application in writing is made within one year from the date of the payment [section 45 (1) of the Stamp Act].
	(ii) Stamp duty charged and paid under section 35 or 40 in excess of that which is legally chargeable under the Act.	Financial Commissioner	Full powers.
		Commissioners of Divisions	Upto Rs. 100 in each case; provided that an application in writing is made within three months of the order charging the same [section 45 (2) of the Stamp Act].
26.	To sanction refunds of the value of- (1) impressed court-fee stamps which have been spoiled or rendered unfit or useless for the purpose intended or for which the purchaser has no immediate use or, (2) two or more (or in the case of denominations below Rs. 5, 4 or more) court-fee adhesive labels which have never been detached from each other and for which the possessor has no immediate use.	Collectors of Districts.	Subject to the following conditions:– The authority in column 3 shall on application repay to the applicant the value of such stamps or label in money, deducting six paise in the rupee, upon such person delivering up the same to be cancelled and proving to the satisfaction of the said authority that they were purchased by him with a *bona fide* intention to use them, that he has paid the full price thereof and that they were so purchased; or in the case of impressed stamps, purchased, spoiled or rendered useless, within the period of six months preceding the date on which they were so delivered.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
	(3) court-fee adhesive labels when they are attached to impressed sheets of court-fee stamps in accordance with the rules framed by the Government under section 26 and 27 (b) of the Court-fees Act, 1870.	—	The Collector may in special cases, allow similar refunds when the period of six months is exceeded provided the application for refund is made within a period of one year from the date of purchase or spoiling. **Note.**– The mere allegation of the applicant that he was not aware of the rule requiring him to apply with six months is not a "special case".
	(4) all court-fee stamps not spoiled or rendered unfit for the use returned to the Collector's store on– (a) resignation of the vendor's licence; (b) revocation of licence for any fault of the licensee; (c) death of the vendor; (d) application of the vendor for leave to restore any stamp; (e) expiration of licence; (f) recall of stamps by Government (g) revocation of licence for any reason other than that mentioned in (b).		(a—d) Stamps should be taken back at their full value less a deduction of six paise in the rupee. (e—g) Stamps should be taken back at their full value less only any discount allowed on their sale by the licenced vendor.
27.	To sanction renewal of damaged or spoiled impressed court-fee stamp and any adhesive stamp used in combination with or affixed to an impressed stamp.	Collectors	Provided that an application in writing is made within six months after such stamp has become damaged or spoiled.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
28.	To sanction refund of fee paid on memorandum of appeal.	Collectors	Subject to the condition prescribed in section 13 of the Court-fees Act, 1870, and on presentation by the applicant of Court certificates authorising such refund by the Court.
29.	To sanction refund of fee on application for review of judgement.	-do-	Subject to the condition prescribed in section 14 of the Court-fees Act, 1870, and on presentation by the applicant of Court certificate authorising such refund by the Court
30.	To sanction refund when Court reverses or modifies its former decisions on ground of mistake.	■ do -	Subject to the condition prescribed in section 15 of the Court-fees Act, 1870 and on presentation by the applicant of Court certificate authorising such refund by the Court.
31.	To sanction refunds or renewal of detached as well as spoiled court-fee adhesive stamps in cases of special hardship.	Commissioners of Divisions	Provided that application is put in within six months and subject to the deduction of six paise per rupee of face value in the case of refunds.
32.	To sanction refund or renewal of the value of impressed as well as adhesive court-fee stamps which are not required for immediate use or which have been spoiled or rendered unfit for use in cases where the application for refund is made within three years of the date of purchase or the date of spoiling or rendering unfit for use.	-do-	Subject to the deduction of six paise per rupee of face value in the case of refunds.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
33.	To sanction refund of court -fee stamps affixed unnecessarily in consequence of an order of a Court.	Financial Commissioner	On production of an order of the Court.
34.	To sanction refund or renewal of impressed or adhesive court-fee stamps, which have been spoiled or rendered useless or unfit for the purpose intended or for which the purchaser has no immediate use.	-do-	Full powers including, in case of Financial Commissioner, to revise the orders of Collectors and Commissioners, subject to the deduction of six paise per rupee of face value in the case of refunds except in cases falling under clauses (a-g) of item No. 26 (4) above.
35.	To sanction refund in case in which money is credited to Government for purchase of stamps but stamps are not actually purchased.	Commissioners of Divisions	Full powers.
36.	To sanction refund of the fee paid in stamps instead of cash for shooting licences under the Wild Birds and Wild Animals Protection Rules.	Collectors.	Full powers subject to the deduction of six paise per rupee of face value.
37.	To grant refund of court-fee stamps affixed in excess of legal requirements.	–do–	Provided that— (1) application for refund is made through the presiding officer of the Court within six months from the date of filling the plaint, appeal, application for revision or review or during the pendency of the case whichever is less;

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1. Col. No.4 against Sl. No. 35 substituted by H.P. Govt., F.D., O.M. No. Fin. C-A(3)-11/77, dated the 14th June, 1979.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
37.			(2. a certificate in the prescribed form is produced from the presiding officer of the Court to the effect that refund applied for is admissible; (3. the refund claimed amounts to or exceeds Rs. 25 in each individual case; (4. a reduction of six paise in the rupee is made from the face value of the stamps affixed in view of legal requirements.
[1]37-A.	Refund of institution fee/court fee to the Plaintiff/Appellant by the Court of Himachal Pradesh in the suits/appeals disposed of by them under the circumstances specified under Col. 2 as under :--		
		(i) SUITS	
			Fee to be refunded
	(1) Suit in which decree is passed in accordance with agreement, compromise or satisfaction recorded in terms of order XXIII, rule-3 of Code of Civil Procedure, 1908 before the recording of any evidence.	Collector	Two-third

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1. Sl.No. 37-A inserted *vide* H.P. Govt., F.D., O.M. No. Fin. (C)A(2)2/82, dated the 3rd February, 1987

S.No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
			Fee to be refunded
	(2) In summary suit under order XXXVII in the First Schedule to the Code of Civil Procedure, 1908 where leave to defend is refused or where the defendant does not appear.	Collector	Two-third
	(3) Suit the claim in which is admitted but only time or instalment for payment is asked for.	--do--	--do--
	(4) Suit which is got dismissed by a plaintiff for want of prosecution before recording of any evidence.	---do---	--do--
	(5) Suit which is withdrawn unconditionally by the plaintiff (before recording of any evidence) as settled out of court.	--do--	--do--
	(6) Suit in which the plaint is rejected without issuing summons to the defendant as not disclosing any cause of action or as barred by the Law of Limitation.	Collector	Three-fourth.
	(7) Suit in which judge-ment is given on admi-ssion under rule 6 of order XII in the First Schedule to the Code of Civil Proce-dure, 1908, before the recording of any evidence.	--do--	Two-third of the amount of institution fee of the claim admitted

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1) Sl.No. 37-A inserted *vide* H.P. Govt., F.D., O.M. No. Fin. (C)A(2)2/82, dated the 3 rd February, 1987.

S.No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
			Fee to be refunded
	(8) Suit which abates because the right to sue does not survive for the legal representatives of a deceased litigant.	—do—	Two-third
	(9) Suit in which the plaint is returned by the High Court for the purpose of being presented to a court outside the State of H.P. in which the suit should have been instituted on an undertaking given by the plaintiff that the plaint shall not be presented to any court within the State.	—do—	Two-third.
		(ii) *APPEALS*	
	(1) Appeals in which decree is passed in accordance with agreement, compromise or satisfaction recorded in terms of order XXIII, rule 3 of the Code of Civil Procedure, 1908 before the appeal is called for effective hearing.	Collector	Two-third of the institution fee paid on the memorandum of appeal.
	(2) Appeal which is withdrawn or not prosecuted before registration or when registration is refused.	-do-	Full amount of the institution fee.

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1. Sl.No. 37-A inserted *vide* H.P. Govt., F.D., O.M. No. Fin. (C)A(2)/82, dated the 3 rd February, 1987.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
			Fee to be refunded
	(3) Appeal which abates because the right to sue does not survive for the legal representatives of a deceased litigant.	Collector	Two-third of the institution fee paid on the memorandum of appeal.
	(4) Appeal which after having been placed before the court for admission is withdrawn or not prosecuted.	--do--	--do--
	(5) Appeal which is withdrawn or not prosecuted though admitted before it is called for effective hearing.	Collector	Half of the institution fee paid on the memorandum of appeal.
	(6) Appeal which is dismissed as time-barred by the Law of Limitation before it is called for effective hearing.	--do--	-do--
	(7) Memorandum of cross- objection, which is withdrawn or is not prosecuted before an appeal, in which it is filed, is called for effective hearing.	--do--	--do--
38.	To sanction refund of the value of spoilt, unserviceable obsolete or unused tobacoo licence forms.	-- do --	Full powers subject to the deduction at Re. 00.78 P. per cent being the discount allowed on the sale of tobacco licences.

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1. Sl. No. 37-A inserted *vide* H.P. Govt., F.D., Notification No. Fin (C)A(2)2/82, dated the 3rd February, 1987.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
39.	To sanction refund of Forest revenues.	Forest Department.	Provided the amount in any single case does not exceed Rs. 20,000.
	To sanction refund of revenues of Department of Soil Conservation.	Soil Conservation Department	--do--
40.	To sanction the writing off of irrecoverable forest revenue.	Chief Conservator of Forests.	Upto Rs. 5,000 in each case.
		Conservators of Forests.	Upto Rs. 1,000 in each case.
		Divisional Forest Officers.	Upto Rs. 500 in each case.
	To sanction writing off of irrecoverable revenue of Department of Soil Conservation.	Director of Soil Conservation.	Upto Rs. 5,000 in each case.
		Conservators of Forests, Soil Conservation.	Upto Rs. 1,000 in each case.
		Divisional Forest Officers, Soil Conservation/Assistant Soil Conservation Officers.	Upto Rs. 500 in each case.
41.	To sanction registration refunds on account of excess collections, or refunds necessitated by an order which the Registrar is competent to pass.	Registrars	Without limit

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1. Col. No. 4 of Sl. No. 39 substituted *vide* H.P. Govt., F.D., O.M. No. Fin. (C)A(3)-11/77, dated the 14th August, 1979.

2. Col. Nos. 3 & 4 of Sl. No 40 substituted by H.P. Govt., F.D., O.M. No. Fin. (C)-A(3)-11/77, dated the 14th June, 1979.

3. Powers to various authorities of Soil Conservation Deptt. under Sl. Nos. 39 & 40 delegated by H.P. Govt., F.D., Notification No: 1-5/74-Fin (Reg.), dated the 18th January, 1982.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
42.	To remit wholly or in part the difference between any fine levied under section 25 or section 34 of the Indian Registration Act, XVI of 1908, and the amount of the proper registration fee.	Inspector General of Registration	Full powers.
43.	To sanction the writing off of irrecoverable sums due under the Himachal Pradesh General Sales Tax Act, 1968	Deputy Excise and Taxation Commissioner. Excise and Taxation Commissioner.	Upto Rs. 50 in each case. Upto Rs. 500 in each case.
44.	To sanction the writing off of irrecoverable sums due under the Himachal Pradesh Uraban Immovable Property Tax Act, 1968.	Deputy Excise and Taxation Commissioner. Excise and Taxation Commissioner.	Upto Rs. 50 in each case. Upto Rs. 500 in each case.
45.	To sanction the writing off of irrecoverable sums of money due under the Himachal Pradesh Motor Spirit (Taxation of Sales) Act, 1968.	Deputy Excise and Taxation Commissioner. Excise and Taxation Commissioner.	Upto Rs. 50 in each case. Upto Rs. 500 in each case.
46.	To sanction the writing off of irrecoverable sums of money due under the Himachal Pradesh Passengers and Goods Taxation Act, 1955.	Deputy Excise and Taxation Commissioner. Excise and Taxation Commissioner.	Upto Rs. 50 in each case. Upto Rs. 500 in each case.
47.	To sanction the writing off of irrecoverable sums of money due under the Himachal Padesh Entertainment Tax (Cinematograph Shows) Act, 1968.	Deputy Excise and Taxation Commissioner. Excise and Taxation Commissioner.	Upto Rs. 50 in each case. Upto Rs. 500 in each case.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
48.	To sanction the writing off of irrecoverable sums of money due under the Himachal Pradesh Entertainments Duty Act, 1968.	Deputy Excise and Taxation Commissioner.	Upto Rs. 50 in each case.
		Excise and Taxation Commissioner.	Upto Rs. 500 in each case.
49.	To sanction the writing off of sums of money due under the Central Sales Tax Act, 1956.	Deputy Excise and Taxation Commissioner.	Upto Rs. 50 in each case.
		Excise and Taxation Commissioner.	Upto Rs. 500 in each case.
50.	To sanction the writing off of the irrecoverable arrears of stamp dues in pauper suits.	Commissioner of Division.	Full powers.
51.	To remit or write off irrecoverable balances of fees in educational institutions.	Director of Education	Upto Rs. 250 in any one case.
52.	To remit irrecoverable interest due on account of delayed payments of sale-proceeds of seed entrusted to the Seed Commission Agents for sale.	Agriculture Department	Upto Rs. 1,000 in any individual case.
		Director of Agriculture	Upto Rs. 250 in any one case
53.	To remit in special cases fines imposed on students (including late fee fines) which in the ordinary course would be credited to State revenues.	Director of Industries and Director of Employment.	Full powers.
54.	To remit or write off of irrecoverable balances of fees due from students in the Industrial Training Institutes.	--do--	Upto Rs. 25 only in any one case.
55.	To sanction the write off of irrecoverable arrears of motor-tax.	Commissioners of Divisions.	Upto a limit of Rs. 150 in each case.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
56.	To sanction remissions to ferry contractors as compensation for loss of ferry collections due to exceptional causes.	Commissioners of Divisions	Full powers.
57.	To sanction refund of application fee, if after receipt of application Government decides not to make the appointment or alters the condition in regard to age, qualifications or experience in a manner that candidates who were eligible in terms of the original advertisement become ineligible.	Chairman of the Himachal Pradesh Public Service Commission.	Full powers.
58.	To sanction refund of total fee prescribed for an examination (excepting application fee) to those candidates who are not admitted to the examination or who may withdraw their candidature before the issue of admission certificates, provided that refund will not be allowed in cases where the candidates have applied for jobs knowing that they are not eligible under the rules and where the conditions in regard to age or qualifications/ experience are altered in a manner that candidates who were eligible in terms of the original advertisement become ineligible.	Chairman, Himachal Pradesh Public Service Commission.	Full powers.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
59.	To sanction abandonment of irrecoverable copying fees.	Commissioners of Divisions, and Deputy Commissioners, Lahaul and Spiti/Kinnaur.	Upto Rs. 50 in each individual case in cases where:– (a) applicants are untraceable; or (b) where money due cannot be recovered as an arrear of land revenue.
60.	To sanction refund of fees under the Himachal Pradesh Motor Vehicle Rules.	Chairman, Provincial Transport Authority, Himachal Pradesh.	Upto Rs. 1,000 in any one case.
61.	To sanction refunds not otherwise provided for.	All Disbursing Officers, all other Departments of Government.	Provided— (a) the refunds are made necessary as a result of some mistake or other flaw in an order for the collection of assessment of revenue which the officer himself is competent to pass and has actually passed. (b) no single refund exceeds Rs. 500.
62.	To sanction refunds of fare frieght fee for passes or advertisement and excess deposits.	Commissioner of Transport.	Upto a limit of Rs. 500 in each case.
		Regional Manager, H.G.T.	Upto a limit of Rs. 100 in each case.
63.	To remit, reduce or collect in instalments in special cases fines imposed on students which in the ordinary course would be credited to State revenues.	Director of Technical Education.	Full powers provided the powers of remission or reduction of fines will be exercisable only before the amount is actually credited into the treasury.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
64.	To sanction refund to the auction purchaser of the initial bid money deposited by him at the fall of hammer to purchase a plot/plots offered for sale by public auction or by allotment under the scheme of development of mandis, provided Government decide not to approve the sale thereof.	Colonisation Officer	Full powers.

Delegation Orders under Rule 19.2, of H.P.F.R., Vol. I.

Nature of power	Authority to which the power is delegated	Extent of power delegated
To refund Nazrana amount deposited by allottees of surplus land under the H.P. Village Common Land (Vesting and Utilisation) Act, 1974 and the Utilisation Surplus Area Scheme whose allotments are subsequently cancelled.	(i) Financial Commissioner	Full powers.
	(ii) Divisional Commissioner.	Upto a limit of Rs. 10,000 in each case.
	(iii) Collectors (Deputy Commissioners).	Upto a limit of Rs. 2,000 in each case.

[H.P. Govt., Revenue Deptt., Office Order No. Rev. 3 (C) 17-6/76, dated the 21st September, 1977, issued with the concurrence of Himachal Pradesh Finance Department vide their U.O. No. 1-8/72-Fin. (Reg.)-2041, dated the 22nd August, 1977.]

H.P.GOVT. ORDERS

(1) **Refunds to registered dealers under General Sales Tax Act, 1968.**—With reference to Excise and Taxation Department's letter No. PXN.F(1)6/77, dated the 14th November, 1979 on the above subject, the undersigned is directed to state that the point raised therein has been considered. It is felt that there is no need to amend or incorporate any specific provision in the H.P.F. Rs. in regard to sanctioning of refunds to registered dealers under General Sales Tax Act, 1968. In this connection attention is invited to rule 19.2 of the H.P.F. Rs., Vol.I which covers the point at issue. Hence the assessing authorities under section 18 of the General Sales Act, 1968 are fully competent to sanction refunds.

[H.P.Govt., F.D., O.M. No. Fin (C)-A(2)-76, dated the 18th February, 1980 addressed to Dy. Secretary (E&T) to H.P.Govt. and copy endorsed to Excise and Taxation Commissioner, H.P. and all Treasury Officers, Sub-Treasury Officers & Asstt. Treasury Officers.]

(2) **Power to sanction refund of revenue (i) for credit to correct head of account by book adjustment and (ii) where the receipt does not pertain to Government.** – Reference your memo. No. Ft. 103 -81/63(s), dated 13th September, 1966.

2. The undersigned is directed to say that according to Govt. of India's order contained in Ministry of Finance O.M. No. F.11 (10)-E .II.(A) 65 dated 27th October, 1965 the authority competent to refund the revenue credited wrongly under misapprehension shall be the authority to whom the original receipt correctly pertains. This decision applies only to such cases where the receipt is credited under some misapprehension to a wrong head and was actually required to be credited to some other head of account controlled by some other officer. In such cases the officer to whom the receipt actually pertains is the competent authority to order the refund for credit to the correct head of account by book adjustment.

3. In cases where the receipt actually does not pertain to the Government, the authority competent to refund the revenue shall be the same as prescribed in Rule 146 of the G.F.Rs., 1963 i.e. the Administrator because the question of empowering the non-officials, to whom the receipt may pertain in such cases, does not arise.

[H.P. Administration., F.D., O.M. No 17-7/65-Fin. (R&E), dated the 2nd February, 1967 to Chief Conservator of Forests, H.P., Shimla]

(3) **Departmental Controlling Officers to check monthly statements of treasury credits furnished by the A.G. and to intimate any wrong credits therein to the A.G. with a view to the correction of the accounts.** – See Rule 4.2 of this Compilation.

19.18. Remission of disallowances ordered by Audit Officer (Rule 18.4).

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
1.	To sanction the remission of dissallowances made by Audit Officer.	(i) Administrative Departments	1. Upto Rs. 500 in each individual case subject to an aggregate maximum of Rs. 5,000 in the case of any establishment in which a number of overdrawals are due to the same cause, and further subject to the following conditions:- (1) that the money was drawn in good faith;

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
			(2) that no defect of system is disclosed; (3) that the overdrawal has not involved other expenditure requiring reference to the Finance Department; (4) that it does not involve an addition of pay of more than Rs. 100 per mensem to any individual and, if the overdrawal is challenged within 12 months, subject to the following further conditions: (a) that it has not been caused by any delay in notifying a promotion or reversion; (b) that the pay of the Government servant does not exceed Rs. 100. 2. When a disallowance is remitted under this rule the reasons therefor should invariably be recorded by the remitting authority.

Serial No.	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4
		(ii) Superintending Engineers, in the P.W.D./M.P.P. & P.	In cases of Government servants whom they can appoint upto Rs. 50 in each individual case subject to an aggregate maximum of Rs. 250 and to the general conditions detailed against (i) above except that it does not involve an addition of more than Rs. 25 per mensem to any individual.

H.P.GOVT ORDER

(1) Revision of pay scales from 1-1-1978 - Waiving of recoveries of overpayments on account of wrong fixation on revision of pay scale and wrong fixation on account of stepping up after grant of Selection Grade. – See Order (3) below Rule 18.4 of this Compilation.

HIMACHAL PRADESH CIVIL SERVICES (REVISED PAY) RULES, 1998

(I)

Revision of Pay Scales in Himachal Pradesh w.e.f. 1.1.1996 - General Conversion Table and Master Scale (Non-U.G.C.).— I am directed to say that the Governor, Himachal Pradesh is pleased to sanction the following Master Scale w.e.f. 1.1.1996 with a minimum start of Rs. 2620 for all the employees of the State Government :-

Master Scale

2520-100-3220-110-3660-120-4260-140-4400-150-5000-160-5800-200-7000-220-8100-275-10300-340-12000-375-13500-400-15900-450-18600-500-23600;

The Governor, Himachal Pradesh is further pleased to sanction the enclosed General Conversion Table for converting the existing pay scales into their revised equivalents effective from 1.1.1996 *[For General Conversion Table, see Schedule at page 635]*.

The Revised Pay Rules and Ready Reckoner for fixation of pay in the revised scales will be issued separately on receipt from the Punjab Government.

[H.P. Govt., F.D., letter No. Fin (PR_B(7)-1/98, dated the 9th January, 1998]

(II)

H.P. Civil Services (Revised Pay) Rules, 1988.— In exercise of the powers conferred under Article 309 of the Constitution of India and proviso to sub-rule (1) of rule 10 of the Vidhan Sabha (Recruitment and Conditions of Service) Rules, 1974, as amended from time to time, the Governor, Himachal Pradesh, is pleased to make the following rules namely :-

RULES

1. **Short title and commencement.—** (1) These rules may be called the Himachal Pradesh Civil Services (Revised Pay) Rules, 1998.

(2) They shall be deemed to have come into force from the First day of January, 1996.

2. **Application.—** (1) Save as otherwise expressly provided by or under these rules, they shall apply to all the persons appointed to the services and posts in connection with the affairs of the State of Himachal Pradesh.

(2) They shall not apply to the :-

(a) Members of the All India Services serving in connection with the affairs of the State of Himachal Pradesh;

(b) Persons not in the whole time employment of the Government of Himachal Pradesh;

(c) Persons paid out of contingencies;

(d) Employees whose scales of pay have been determined on the recommendations of the University Grants Commission (U.G.C.);

(e) Work-charged employees;

(f) Persons employed on contract basis, except when the contract provides otherwise; and

(g) Persons specifically excluded wholly or in part from the operation of these rules.

3. Definitions.— In these rules, unless there is anything repugnant in the subject or context –

(a) *"Basic Pay"* means the basic pay i.e. amount drawn monthly by a Government employee in the existing scale of the post held by him or to which he is entitled by reasons of his position in a cadre including *ex-gratia* annual increment(s) and additional pay, if any, but will not include any other type of pay like "Special Pay", "Personal Pay" etc.'

NOTE.– In the case of a Government employee who is member of the Himachal Pradesh Civil Medical Service (General Wing) and Himachal Pradesh Civil Dental Service, the expression "basic pay" shall include additional increment(s) granted for House Jobs or Post-Graduate qualifications in the existing scale;

(b) *"Existing Scale"* in relation to a Government employee means the scale in respect of a post held by him or, as the case may be, personal scale allowed to him as on the First day of January, 1996, whether in a substantive or officiating capacity;

EXPLANATION.— In the case of a Government employee who was on the First day of January, 1996, on deputation out of India or on leave or on foreign service, or who would have on that date officiated in one or more lower posts but for his officiating in a higher post, "Existing Scale" includes the scale applicable to the post which he would have held but for his being on deputation out of India or on leave or on foreign service or as the case may be, but for his officiating in a higher post:

(c) *"Existing Emoluments"* means aggregate of :-

(i) Basic pay in the existing scale as on the First day of January, 1996, or on the date of option under Rule 6;

(ii) Dearness Allowance appropriate to the basic pay admissible at the All India Consumer Price Index average of 1510 (1960 = 100) as on the First day of January, 1996;

(iii) Amount of first instalment of Interim Relief at the rate of rupees one hundred and fifty for those drawing basic pay of less than rupees three thousand and five hundred and rupees two hundred for those whose basic pay is rupees three thousand and five hundred and above; and

(iv) Amount of second instalment of Interim Relief at the rate of ten percent of the basic pay in the existing scale as on the First day of January, 1996;

(d) *"Government"* means the Government of Himachal Pradesh in the Department of Finance.

(e) *"Master Scale"* means the scale of rupees 2520-100-3220-110-3660-120-4260-140-4400-150-5000-160-5800-200-7000-220-8100-275-10300-340-12000-375-13500-400-15900-450-18600-500-23600;

(f) *"Revised Pay"* means basic pay of a Government employee in the revised scale appropriate to the existing emoluments;

(g) *"Revised Scale"* in relation to an existing scale specified in column 2 of the Schedule means the scale of pay specified against that scale in column 3 thereof; and

(h) *"Schedule"* means a schedule annexed to these rules.

4. **Revised Scale of Pay.** – As from the date of commencement of these rules, the scale of pay specified in column 3 of the Schedule against the scale specified in column 2 thereof shall be deemed to be the revised scale.

5. **Drawal of Pay in the Revised Scale.— (i)** Save as otherwise expressly provided in these rules, a Government employee shall draw pay in the revised scale:

Provided that a Government employee may opt to continue to draw pay in the existing scale until the date on which he earns his next or any subsequent increment in the existing scale or ceases to draw his pay in that scale;

Provided further that the right to exercise option shall not be available to a person appointed to a post on or after the First date of January, 1996, (whether for the first time in Government service, or by transfer or promotion from another post) and he shall be allowed pay only in the revised scale, without any benefit of pay fixation in the revised scale.

(ii) **The option to retain the existing scale under this rule shall be available only in respect of one existing scale.**

6. **Exercise of Option.**— (1) The option under rule 5 to elect the existing scale or the revised scale shall be exercised in writing in the Form of Option appended to these rules, so as to reach the authority specified in sub-rule (2) within a period of six months from the date of issue of these rules or where an existing scale has been further revised by any subsequent order then another option may be exercised within six months of the date of such order, except that for employees posted in tribal and notified backward/hard areas, the period for exercising option shall be one year :

Provided that -

(i) In the case of Government employees who is, on the date of issue of these orders or such subsequent orders, as the case may be, out of India or on leave or on deputation or on foreign service, the option shall be exercised, in writing, so as to reach the authority specified in sub-rule (2) within a period of six months (one year for those posted in tribal or notified backward/hard areas) from the date of his taking charge of his post under the State Government; and

(ii) Where a Government employee is under suspension on that date, the option shall be exercised within a period of six months of the date of his return to his duty if that date is later than the date specified in this sub-rule.

(2) An option exercised under sub-rule (1) shall be final and shall be intimated by the Government employee to the Head of Office.

(3) If the intimation regarding option is not received within the time mentioned in sub-rule (1) it shall be deemed that the Government employee has opted for the revised scale on and with effect from the First day of January, 1996.

(4) Failure to opt for a most beneficial date by an employee will not give him a right under these rules for stepping up of his pay in the revised scale over the pay of another employee who may have opted for such a date even if the former was drawing pay equal to or more than the latter in the same existing scale.

NOTE 1.– Persons, whose services were terminated on or after the First day of January, 1996, but before the issue of these rules and who could not exercise the option within the prescribed time limit, on account of death, discharge on the expiry of sanctioned post, resignation, dismissal or discharge on disciplinary grounds, are entitled to the benefits of this rule.

NOTE 2.– Persons, who have died on or after the First day of January, 1996, and have not exercised option within the prescribed time limit, shall be deemed to have opted for the revised scale on and from the First day of January, 1996, or such later date under these rules as is most beneficial in their case.

7. **Fixation of Pay in the Revised Scale.**— The pay of a Government employee who opts or is deemed to have opted for the revised scales in terms of the provisions of these rules shall, unless in any case the Government by special order or otherwise directs, be fixed in the following manner, namely :-

(i) an amount representing forty percent of the basic pay in the existing scale shall be added to the "Existing Emoluments" of the employee; and

(ii) after the existing emoluments have been so increased, the pay shall thereafter be fixed in the revised scale at the stage next above the amount of the existing emoluments so computed, if it falls between two stages and if the amount so computed is equal to a stage in the revised scale, then the pay shall be fixed at such equal stage;

Provided that :-

(a) if the minimum of the revised scale is more than the amount so arrived at, the pay shall be fixed at the minimum of the revised scale;

(b) if the amount so arrived at is higher than the maximum of the revised scale, the amount in excess of the maximum of the revised scale shall be treated as personal pay which shall be absorbed in future increments and shall be reckoned as pay for all purposes;

Provided further that where in the fixation of pay, the pay of Government employees drawing pay at more than three consecutive stages in an existing scale gets bunched, that is to say, gets fixed in the revised scale at the same stage, the pay in the revised scale of such of those Government employees who are drawing pay beyond the first three consecutive stages in the existing scale shall be stepped up by the grant of increment(s) in the revised scale in the following manner, namely :-

(a) for the Government employees drawing pay from the fourth upto the sixth stage in the existing scale – by one increment;

(b) for the Government employees drawing pay from the seventh upto the ninth stage in the existing scale, if there is bunching beyond the sixth stage – by two increments.

(c) for the Government employees drawing pay from the tenth upto the twelfth stage in the existing scale, if there is bunching beyond the ninth stage – by three increments.

(d) for the Government employees drawing pay from the thirteenth upto the fifteenth stage in the existing scale, if there is bunching beyond the twelfth stage – by four increments.

If, by stepping up the pay as above, the pay of a Government employee, gets fixed up at a stage in the revised scale which is higher than the stage at which the pay of a Government employee who was drawing more pay in the same existing scale is fixed, the pay of the latter shall also be stepped up to the level at par with the former;

Provided further that the fixation thus made shall ensure that every Government employee shall get at least one increment in the revised scale for every three increments (inclusive of *ex-gratia* increment(s), if any) in the existing scale;

NOTE.– See Illustrations 1 to 7 appended to these rules for guidance.

Provided further that in the case of a Government employee, who is in receipt of Special Pay or Special Allowance attached to a post in addition to pay in the existing scale which has been revised without Special Pay or Special Allowance as the case may be, such a Government employee shall draw Special Pay or Special Allowance at the existing rate of amount as a measure personal to him so long as he holds that post;

Provided further that in the case of a Government employee who is in receipt of Special Pay, Special Allowance or Non-Practising Allowance (N.P.A.) in addition to pay in the existing scale which has been revised with Special Pay, Special Allowance or Non-Practising Allowance (by whatever name it may be called) at the same rate or at different rate, such a Government employee shall draw Special Pay, Special Allowance or Non-Practising Allowance at the rate allowed with the revised scale.

NOTE 1.– Where the increment of a Government employee falls on the First day of January, 1996, he shall have option to draw the increment in the existing scale or the revised scale.

NOTE 2.– Where a Government employee is on leave on the First day of January, 1996, he shall become entitled to pay in the revised scale from the date he joins duty. In case of Government employee under suspension, he shall continue to draw subsistence allowance based on existing scale and his pay in the revised scale will be subject to final order on the pending disciplinary proceedings.

8. **Date of Next Increment.—** (1) The next increment of a Government employee whose pay has been fixed in the revised scale in accordance with rule 7, shall be granted on the date he would have drawn his increment, had he continued in the existing scale;

Provided that in a case where the pay of a Government employee is stepped up in terms of the provisions of second proviso to rule 7, the next increment shall be granted on the completion of qualifying service of twelve months from the date of stepping up of the pay in the revised scale;

Provided further that in cases other than those covered by the preceding proviso, the next increment of a Government employee whose pay is fixed on the First day of January, 1996 at the same stage as the one fixed for another Government employee junior to him in the same cadre and drawing pay at a lower stage than his in the existing scale, shall be granted on the same date as admissible to his junior, if the date of increment of the junior happens to be earlier.

(2) Where a Government employee is held up at the maximum after completing the time scale, senior scale or selection grade as the case may be on or after the First day of January, 1996, he shall be allowed *ex-gratia* annual increment(s), unless it is withheld, at the same rates as are given in the Master Scale after the stage at which he was held up, subject to

the condition that in no case the basic pay of the Government employee shall exceed twenty three thousand and six hundred rupees.

9. **Mode of Payment of Arrears of Pay.**— (1) Notwithstanding anything contained in these rules, fifty percent of the arrears of pay to which Government employees may be entitled on account of revision of pay under these rules, would be paid to the employees with their salaries for the month of January, 1998 and the remaining fifty percent of the arrears would be paid to them with their salaries in April, 1998 and in each case, half of the due payment on account of such arrears would be paid in cash and the other half shall be credited to the General Provident Fund Accounts of the employees on each occasion and it shall be treated as their additional contribution to their General Provident Fund Accounts and interest shall accrue on the contribution so made with effect from the First day of January, 1998 and First day of April, 1998, respectively;

Provided that in the case of a Government employee who has not yet been allotted Account Number in the General Provident Fund, the aforesaid payment of arrears shall be invested in the National Saving Certificates or the National Savings Scheme or Kisan Vikas Patras or Indira Vikas Patras;

Provided further that in the case of a Government employee who has retired from Government service on or after the First day of January, 1996, but before the date of issue of these rules or who is to retire from Government service by the 30th June, 1996, the arrears of pay for the whole aforesaid period shall be paid in cash.

EXPLANATION.—For the purpose of this rule, "Arrears of Pay" in relation to a Government employee means the difference between -

(i) the aggregate of the pay and allowances to which he is entitled on account of the revision of his pay and allowances under these rules, for the relevant period specified in this rule; and

(ii) the aggregate of the pay and allowances to which he would have been entitled (whether such pay and allowances had been received or not) for that period had his pay and allowances not been so received.

10. **Over-riding Effect.**— The provisions of the Fundamental Rules and instructions issued thereunder shall not apply to the extent that they are inconsistent with the provisions of these rules.

11. **Powers to Relax.**— Where the Government is satisfied that the operation of these Rules causes undue hardship to any individual Government employee or class of Government employee, it may, by order in writing, relax or dispense with any of the provisions as it may consider necessary.

12. **Interpretation.**— If any question arises relating to the interpretation of any of the provisions of these rules, the Government shall decide the same and its interpretation shall be final.

[H.P.Govt., F.D., Notification No. Fin-(PR)B(7)-1/98, dated the 20th January, 1998]

FORM OF OPTION

See Rule 6(1)

*(1) I…………………. hereby opt for the revised scale with effect from ………………. (date to be indicated).

*(2) I…………………hereby opt to continue in the existing scale of my post mentioned below until………………. (date to be indicated).

(a) Designation of Post………………………………………

(b) Existing Scale………………………………………

*(3) I…………………hereby opt to retain the existing scale of my post mentioned below :-

(a) Designation of Post………………………………………

(b) Existing Scale………………………………………

Signature……………………………

Name ……………………………

Date :

Designation……………………………

Employee Code No. (if any)……………

Place :

Department/Office
in which employed………………………

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* To be scored out if not applicable.

[Enclosure to H.P.Govt., F.D., Notification No. Fin-(PR)B(7)-1/98, dated the 20th January, 1998]

SCHEDULE

(*See* Rules 3(g) and 4)

S.No.	Existing Pay Scale	Revised Pay Scale
1	2	3
1.	770-1410	2520-4140 (with a minimum start of Rs. 2620)
2.	800-1455	2720-4260
3.	830-1500	2820-4400
4.	950-1800	3120-5160
5.	950-2130	3120-6200
6.	1020-1800 1020-2130	3330-6200
7.	1200-2130	4020-6200
8.	1365-2410	4400-7000
9.	1410-2480	4550-7220
10.	1500-2700	5000-8100
11.	1650-2925	5480-8925
12.	1800-3200	5800-9200
13.	2000-3500	6400-10640
14.	2130-3700	7000-10980
15.	2200-3700	7220-10980
16.	2410-3700 2200-3900	7220-11320
17.	2200-4000	7220-11660
18.	2410-4000	7880-11660
19.	2850-4375	9200-13900
20.	3000-4375	9750-14700
21.	3000-4500 3000-5000	10025-15100
22.	3700-5000	12000-15500
23.	3000-5300 3700-5300	12000-16350
24.	4000-5300	13125-16350
25.	4125-5600	13500-16800
26.	4500-6100	14300-18600
27.	4500-6700	14300-20100
28.	5000-6700	16350-20100
29.	5900-6700	18600-22100

[Enclosure to H.P.Govt., F.D., Notification No. Fin-(PR)B(7)-1/98, dated the 20th January, 1998]

ILLUSTRATION NO. 1

(*See* Note below Third Proviso to Rule 7)

1.	Existing Scale of Pay	:	750(with initial start 770)-30-950-35-1160-40-1320-45-1410
2.	Revised Scale of Pay	:	2520(with initial start of Rs. 2620)-100-3220-110-3660-120-4140
3.	Existing Pay	:	800
4.	D.A. as on 1.1.96 (at index level 1510):		1184
5.	First Instalment of Interim Relief	:	150
6.	Second Instalment of Interim Relief @ 10% of the Basic Pay	:	80
7.	Existing emoluments	:	2214
8.	Add 40% of Basic Pay	:	320
	Total		2534
9.	Stage next above in the revised scale including benefit of bunching, if admissible	:	2620
10.	If one increment is ensured in the revised scale for every three increments in the existing scale, the stage of pay in the revised scale	:	NIL
11.	Pay to be fixed in the revised scale (stage of pay at Sr. No. 9 or 10 whichever is higher).	:	2620

[Enclosure to H.P.Govt., F.D., Notification No. Fin-(PR)B(7)-1/98, dated the 20th January, 1998]

ILLUSTRATION NO. 2

(*See* Note below Third Proviso to Rule 7)

1.	Existing Scale of Pay	770-30-950-35-1160-40-1320-45-1410
2.	Revised Scale of Pay	2520-100-3220-110-3660-120-4140 (with an initial start of Rs. 2620)
3.	Existing Pay	860
4.	D.A. as on 1.1.96 (at index level 1510)	1273
5.	First Instalment of Interim Relief	150
6.	Second Instalment of Interim Relief @ 10% of the Basic Pay	86
7.	Existing emoluments	2369
8.	Add 40% of Basic Pay	344
	Total	2713
9.	Stage next above in the revised scale including benefit of bunching, if admissible	2720
10.	If one increment is ensured in the revised scale for every three increments in the existing scale, the stage of pay in the revised scale	2720
11.	Pay to be fixed in the revised scale (stage of pay at Sr. No. 9 or 10 whichever is higher).	2720

[Enclosure to H.P.Govt., F.D., Notification No. Fin-(PR)B(7)-1/98, dated the 20th January, 1998]

ILLUSTRATION NO. 3

(*See* Note below Third Proviso to Rule 7)

1.	Existing Scale of Pay	950-35-1160-40-1320-45-1500-50-1800 (with an initial start of Rs. 1000)
2.	Revised Scale of Pay	3120-100-3220-110-3660-120-4260-140-4400-150-5000-160-5160
3.	Existing Pay	1470 (1455+15 Additional Pay)
4.	D.A. as on 1.1.96 (at index level 1510)	2176
5.	First Instalment of Interim Relief	150
6.	Second Instalment of Interim Relief @ 10% of the Basic Pay	147
7.	Existing emoluments	3943
8.	Add 40% of Basic Pay	588
	Total	4531
9.	Stage next above in the revised scale including benefit of bunching, if admissible	4550
10.	If one increment is ensured in the revised scale for every three increments in the existing scale, the stage of pay in the revised scale	3550
11.	Pay to be fixed in the revised scale (stage of pay at Sr. No. 9 or 10 whichever is higher).	4550

[Enclosure to H.P.Govt., F.D., Notification No. Fin-(PR)B(7)-1/98, dated the 20th January, 1998]

ILLUSTRATION NO. 4

(*See* Note below Third Proviso to Rule 7)

1.	Existing Scale of Pay	:	1020-35-1160-40-1320-45-1500-50-2000-60-2060-70-2130
2.	Revised Scale of Pay	:	3330-110-3660-120-4260-140-4400-150-5000-160-5800-200-6200
3.	Existing Pay	:	1280
4.	D.A. as on 1.1.96 (at index level 1510)	:	1894
5.	First Instalment of Interim Relief	:	150
6.	Second Instalment of Interim Relief @ 10% of the Basic Pay	:	128
7.	Existing emoluments	:	3452
8.	Add 40% of Basic Pay	:	512
	Total		3964
9.	Stage next above in the revised scale including benefit of bunching, if admissible	:	4020
10.	If one increment is ensured in the revised scale for every three increments in the existing scale, the stage of pay in the revised scale	:	3550
11.	Pay to be fixed in the revised scale (stage of pay at Sr. No. 9 or 10 whichever is higher).	:	4020

[Enclosure to H.P.Govt., F.D., Notification No. Fin-(PR)B(7)-1/98, dated the 20th January, 1998]

ILLUSTRATION NO. 5

(*See* Note below Third Proviso to Rule 7)

1.	Existing Scale of Pay	:	1800-50-2000-60-2060-70-2550-75-3000-100-3200
2.	Revised Scale of Pay	:	5000-200-7000-220-8100-275-9200
3.	Existing Pay	:	2130
4.	D.A. as on 1.1.96 (at index level 1510)	:	3152
5.	First Instalment of Interim Relief	:	150
6.	Second Instalment of Interim Relief @ 10% of the Basic Pay	:	213
7.	Existing emoluments	:	5645
8.	Add 40% of Basic Pay	:	852
	Total		6497
9.	Stage next above in the revised scale including benefit of bunching, if admissible	:	6600
10.	If one increment is ensured in the revised scale for every three increments in the existing scale, the stage of pay in the revised scale	:	6200
11.	Pay to be fixed in the revised scale (stage of pay at Sr. No.-9 or 10 whichever is higher).	:	6600

[Enclosure to H.P.Govt., F.D., Notification No. Fin-(PR)B(7)-1/98, dated the 20th January, 1998]

ILLUSTRATION NO. 6

(*See* Note below Third Proviso to Rule 7)

1.	Existing Scale of Pay :	3000-100-4000-125-4500
2.	Revised Scale of Pay :	10025-275-10300-340-12000-375-13500-400-15100
3.	Existing Pay :	3200
4.	D.A. as on 1.1.96 (at index level 1510):	4736
5.	First Instalment of Interim Relief :	150
6.	Second Instalment of Interim Relief @ 10% of the Basic Pay :	320
7.	Existing emoluments :	8406
8.	Add 40% of Basic Pay :	1280
	Total	9686
9.	Stage next above in the revised scale including benefit of bunching, if admissible :	10025
10.	If one increment is ensured in the revised scale for every three increments in the existing scale, the stage of pay in the revised scale :	10025
11.	Pay to be fixed in the revised scale (stage of pay at Sr. No. 9 or 10 whichever is higher). :	10025

[Enclosure to H.P.Govt., F.D., Notification No. Fin-(PR)B(7)-1/98, dated the 20th January, 1998]

ILLUSTRATION NO. 7

(*See* Note below Third Proviso to Rule 7)

1.	Existing Scale of Pay	3000-100-4000-125-4500
2.	Revised Scale of Pay	10025-275-10300-340-12000-375-13500-400-15100
3.	Existing Pay	3300
4.	D.A. as on 1.1.96 (at index level 1510)	4884
5.	First Instalment of Interim Relief	150
6.	Second Instalment of Interim Relief @ 10% of the Basic Pay	330
7.	Existing emoluments	8664
8.	Add 40% of Basic Pay	1320
	Total	9984
9.	Stage next above in the revised scale including benefit of bunching, if admissible	10300
10.	If one increment is ensured in the revised scale for every three increments in the existing scale, the stage of pay in the revised scale	10300
11.	Pay to be fixed in the revised scale (stage of pay at Sr. No. 9 or 10 whichever is higher).	10300
12.	Date of next increment	After completion of qualifying service of twelve months from the date of the stepping up of the pay in the revised scale [as per first proviso to Rule 8(i)].

[Enclosure to H.P.Govt., F.D., Notification No. Fin-(PR)B(7)-1/98, dated the 20th January, 1998]

(III)

Revision of Pay Scales w.e.f. 1.1.1996 - Fixation of pay & drawal and disbursement of arrears in case of employees who may have served under more than one Head of Office and in case of employees on deputation.— I am directed to refer to this Department's Notification of even number, dated the 20th January, 1998 *vide* which the Himachal Pradesh Civil Services (Revised Pay) Rules, 1998 have been notified and to say that the pay in the revised scale(s) shall be fixed by the Head(s) of the Office(s) of the employee under whom the employee is working in a Department. In case of employees, who after 1.1.1996 may have served under more than one Head of Office, their arrears will be drawn and disbursed by the Head of Office under whom they may be serving at the time of fixation of their pay, who, for this purpose, will obtain due and drawn statement from other Heads of Offices under whom the employees may have served in the past.

2. It is also clarified that the pay of the employees on deputation is to be fixed by the Head of the Office from where the employee proceeded on deputation. The arrears for the period of deputation shall be drawn by the borrowing Department and the arrears, prior to the period of proceeding on deputation, if any, shall be drawn and disbursed by the Head of Office(s) from where the employee proceed on deputation.

3. In all cases, the fixation of pay in the revised scale shall be subject to audit.

[H.P.Govt., F.D., Notification No. Fin(PR)B(7)-1/98, dated the 27th January, 1998]

(III-A)

Options and Pay fixation statements to be pasted in Service Books.—The declarations of Government servants electing the scales of pay and statements showing the fixation of initial pay in the relevant scales of pay in support of the entries in the Service Books should be pasted in the Service Books themselves.

[G.I., M.F., U.O. No. 3622-Estt. III/A/55, dated the 10th May, 1955]

(IV)

Grant of Dearness Allowance to H.P. Govt. employees with effect from 1.7.1996, 1.1.1997 and 1.7.1997.— The undersigned is directed to say that consequent upon the revision of pay scales of the employees w.e.f. 1.1.1996, the Governor of H.P. is pleased to decide that the Dearness Allowance admissible to the employees of the Government of Himachal Pradesh shall be payable from the dates mentioned below at the following rates :-

Date from which payable	Rate of Dearness Allowance per mensum
From 1.1.1996	No Dearness Allowance
From 1.7.1996	4 % of pay
From 1.1.1997	8 % of pay
From 1.7.1997	13 % of pay

2. The payment of Dearness Allowance under these orders from the dates indicated above shall be made after adjusting the instalments of Dearness Allowance already sanctioned and paid to the employees of the H.P.Government w.e.f. 1.1.1996, 1.7.1996 and 1.1.1997 in terms of this Department's Office Memoranda No. Fin (C)B(7)-1/89 dated 2nd July, 1996, 31st March, 1997 and 20th August, 1997.

3. The admissible Dearness Allowance to all employees shall be paid in cash from 1.1.1998 and arrears of admissible Dearness Allowance upto 31.12.1997 would be paid in two instalments. Fifty percent of the arrears would be given to the employees with their salaries for January, 1998 and the remaining fifty percent of the arrear with their salaries in April, 1998. In each case, half of the due payment would be paid in cash and the other half being credited to the General Provident Fund Accounts. The interest on the contribution to be made to the General Provident Fund Accounts of the employees in the month of January, 1998 and April, 1998 shall accrue from 1st February, 1998 and 1st May, 1998 respectively.

4. Ready Reckoner showing the admissible amount of Dearness Allowance from 1.7.1996, 1.1.1997 and 1.7.1997 in terms of these orders is appended.

5. Where any Government employee was, during the said period, not eligible to subscribe to the Provident Fund, the drawal of arrears of Dearness Allowance shall be deferred till the employee concerned becomes eligible to contribute to Provident Fund and the Provident Fund Account is opened in his/her name. In such a case, as and when the Provident Fund Account is opened and the amount of Dearness Allowance is credited thereto, interest will accrue from the 1st February, 1998 and 1st May, 1998 respectively, as the case may be. The Government employees, who have retired or have closed their General Provident Fund Accounts before the issue of this O.M. or who might close their Accounts by the time the arrears are drawn, shall be paid the arrears of Dearness Allowance in cash.

6. The term "PAY", for the purpose of calculation of Dearness Allowance, shall be the pay drawn in the revised scales of pay, including stagnation increment(s) and non-practising allowance, but shall not include any other type(s) of pay like special pay or personal pay, etc. In the case of those employees who opt to retain the pre-revised scales of pay, it will include, in addition of pay in the pre-revised scales, stagnation increment and Additional Pay, if any, Dearness Allowance and Interim Relief appropriate to that admissible under orders in existence on 1.1.1996.

7. The Dearness Allowance will continue to be a distinct element of remuneration and will not be treated as pay.

8. The payment on account of Dearness Allowance involving fractions of 50 paise and above may be rounded off to the next higher rupees and the fractions of less than 50 paise may be ignored.

9. These orders are also applicable to the Work-Charged employees.

10. These orders with regard to sanction of Dearness Allowance will not be applicable to the staff paid from contingencies, casual labour, staff employed on daily wages and those working on piece-rate-system. These orders will also not be applicable to those employed on contract basis except where Dearness Allowance is admissible in terms of their contract.

[H.P.Govt., F.D., O.M. No. Fin(C)B(7)-3/98, dated the 14th January, 1998]

APPENDIX

Ready Reckoner showing the amount(s) of Dearness Allowance admissible in terms of O.M. No. Fin(C)B(7)-3/98, dated 14th January, 1998 to the employees in respect of pay in the revised pay scales w.e.f. 1-7-1996, 1-1-1997 and 1-7-1997.

	Dearness Allowance Payable					
1 PAY	2 W.E.F. 1.7.96	3 TOTAL Column (1+2)	4 W.E.F. 1.1.97	5 TOTAL Column (1+4)	6 W.E.F. 1.7.97	7 TOTAL Column (1+6)
2620	105	2725	210	2830	341	2961
2720	109	2829	218	2938	354	3074
2820	113	2933	226	3046	367	3187
2920	117	3037	234	3154	380	3300
3020	121	3141	242	3262	393	3413
3120	125	3245	250	3370	406	3526
3220	129	3349	258	3478	419	3639
3330	133	3463	266	3596	433	3763
3440	138	3578	275	3715	447	3887

1	Dearness Allowance Payable					
PAY	2 W.E.F. 1.7.96	3 TOTAL Column (1+2)	4 W.E.F. 1.1.97	5 TOTAL Column (1+4)	6 W.E.F. 1.7.97	7 TOTAL Column (1+6)
3550	142	3692	284	3834	462	4012
3660	146	3806	293	3953	476	4136
3780	151	3931	302	4082	491	4271
3900	156	4056	312	4212	507	4407
4020	161	4181	322	4342	523	4543
4140	166	4306	331	4471	538	4678
4260	170	4430	341	4601	554	4814
4400	176	4576	352	4752	572	4972
4550	182	4732	364	4914	592	5142
4700	188	4888	376	5076	611	5311
4850	194	5044	388	5238	631	5481
5000	200	5200	400	5400	650	5650
5160	206	5366	413	5573	671	5831
5320	213	5533	426	5746	692	6012
5640	226	5866	451	6091	733	6373
5800	232	6032	464	6264	754	6554
6000	240	6240	480	6480	780	6780
6200	248	6448	496	6696	806	7006
6400	256	6656	512	6912	832	7232
6600	264	6864	528	7128	858	7458
6800	272	7072	544	7344	884	7684
7000	280	7280	560	7560	910	7910
7220	289	7509	578	7798	939	8159
7440	298	7738	595	8035	967	8407
7660	306	7966	613	8273	996	8656
7880	315	8195	630	8510	1024	8904
8100	324	8424	648	8748	1053	9153
8375	335	8710	670	9045	1089	9464
8650	346	8996	692	9342	1125	9775
8925	357	9282	714	9639	1160	10085
9200	368	9568	736	9936	1196	10396
9475	379	9854	758	10233	1232	10707
9750	390	10140	780	10530	1268	11018
10025	401	10426	802	10827	1303	11328
10300	412	10712	824	11124	1339	11639
10640	426	11066	851	11491	1383	12023
10980	439	11419	878	11858	1427	12407
11320	453	11773	906	12226	1472	12792
11660	466	12126	933	12593	1516	13176
12000	480	12480	960	12960	1560	13560
12375	495	12870	990	13365	1609	13984
12750	510	13260	1020	13770	1658	14408
13125	525	13650	1050	14175	1706	14831
13500	540	14040	1080	14580	1755	15255
13900	556	14456	1112	15012	1807	15707

	Dearness Allowance Payable					
1 PAY	2 W.E.F. 1.7.96	3 TOTAL Column (1+2)	4 W.E.F. 1.1.97	5 TOTAL Column (1+4)	6 W.E.F. 1.7.97	7 TOTAL Column (1+6)
14300	572	14872	1144	15444	1859	16159
14700	588	15288	1176	15876	1911	16611
15100	604	15704	1208	16308	1963	17063
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17700	708	18408	1416	19116	2301	20001
18150	726	18876	1452	19602	2360	20510
18600	744	19344	1488	20088	2418	21018
19100	764	19864	1528	20628	2483	21583
19600	784	20384	1568	21168	2548	22148
20100	804	20904	1608	21708	2613	22713
20600	824	21424	1648	22248	2678	23278
21100	844	21944	1688	22788	2743	23843
21600	864	22464	1728	23328	2808	24408
22100	884	22984	1768	23868	2873	24973
22600	904	23504	1808	24408	2938	25538
23100	924	24024	1848	24948	3003	26103
23600	944	24544	1888	25488	3068	26668

[Enclosure to H.P.Govt., F.D., O.M. No. Fin(C)B(7)-3/98, dated the 14th January, 1998]

[illegible]

[illegible] to be noted in the last pay certificates

[illegible]

[illegible] on the day of important festivals

[illegible] of pay and Travelling Allowance on [illegible]

[illegible] to Government servants on [illegible]

[illegible] the Law Rules

[illegible] for the purposes of [illegible]

[illegible]

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This index has been compiled solely for the purposes of assisting reference. No expressions used in it should be considered in any way as interpreting the rules.

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